

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA )  
                  ) PARTIAL DECREE PURSUANT TO  
                  ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
                  ) Water Right 45-02319

NAME AND ADDRESS: DARRELL M FUNK  
PATRICIA M FUNK  
3173 N 4900 E  
MURTAUGH, ID 83344

SOURCE: GROUND WATER

QUANTITY: 3.00 CFS  
756.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED  
DIVERSION RATE OF 11.62 CFS AND TO A TOTAL COMBINED ANNUAL  
DIVERSION VOLUME OF 3508.4 AF. COMBINED RIGHT NOS.: 45-2290,  
45-2291, 45-2292, 45-2317, 45-2318, 45-2319, 45-4142

PRIORITY DATE: 01/23/1950

POINT OF DIVERSION: T12S R20E S06 LOT 5 (SWSNW) Within Cassia County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY               |
|-------------------------------|----------------|----------------|------------------------|
|                               | Irrigation     | 03-15 TO 11-15 | 3.00 CFS<br>756.00 AFY |

| PLACE OF USE: | Irrigation          | Within Twin Falls County                                                                             |
|---------------|---------------------|------------------------------------------------------------------------------------------------------|
|               | T11S R19E S36       | NENE 40.0<br>NWNE 39.0<br>SWNE 40.0<br>SENE 40.0<br>NESE 40.0<br>NWSE 29.0<br>SWSE 19.0<br>SESE 38.0 |
|               | R20E S31 LOT 1      | (NWNW) 77.0 LOT 2 (SNNW) 78.0                                                                        |
|               | LOT 3               | (NWSW) 78.0 LOT 4 (SWSW) 75.0                                                                        |
|               |                     | SESW 14.0 SWSE 38.0                                                                                  |
|               |                     | Within Cassia County                                                                                 |
|               | T12S R19E S01 LOT 1 | (NENE) 39.0<br>SENE 36.0                                                                             |
|               | R20E S06 LOT 3      | (NENW) 38.0 LOT 4 (NWNW) 64.0                                                                        |
|               | LOT 5               | (SNNW) 76.0                                                                                          |
|               | 898.0 Acres Total   |                                                                                                      |

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A  
COMBINED TOTAL OF 939 ACRES IN A SINGLE IRRIGATION SEASON.  
COMBINED RIGHT NOS.: 45-487C, 45-488A, 45-489, 45-490, 45-494,  
45-505, 45-506, 45-533, 45-2290, 45-2291, 45-2292, 45-2317,  
45-2318, 45-2319, 45-4142.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A  
COMBINED TOTAL OF 898 ACRES IN A SINGLE IRRIGATION SEASON.  
COMBINED RIGHT NOS.: 45-2290, 45-2291, 45-2292, 45-2317,  
45-2318, 45-2319, 45-4142.

USE OF THIS RIGHT WITH RIGHT NO. 45-2317 IS LIMITED TO THE  
IRRIGATION OF A COMBINED TOTAL OF 364 ACRES IN A SINGLE  
IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 189 ACRES WITHIN THE  
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions  
necessary for the definition of the rights or for the efficient  
administration of the water rights as may be ultimately

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

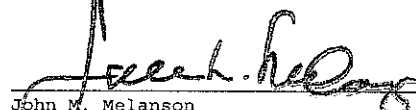
OTHER PROVISIONS (continued)

determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

  
\_\_\_\_\_  
John M. Melanson  
Presiding Judge of the  
Snake River Basin Adjudication