

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                                 )  
                                              )  
Case No. 39576                            )  
\_\_\_\_\_)                                         Water Right 45-04075

NAME AND ADDRESS:       TERRY ELQUIST  
                              RT 1 BOX 1866  
                              BURLEY, ID 83318

MARIE ELQUIST  
RT 1  
BOX 1866  
BURLEY, ID 83318

SOURCE:                       SPRING    TRIBUTARY: SNAKE RIVER

QUANTITY:                   0.08   CFS

The quantity of water under this right for domestic and  
stockwater uses shall not exceed 13,000 gallons per day.

PRIORITY DATE:           06/10/1932

POINT OF DIVERSION:       T10S R23E S26 LOT 3    (SESW ) Within Cassia County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY   |
|-------------------------------|----------------|----------------|------------|
|                               | Irrigation     | 03-15 TO 11-15 | 0.04   CFS |
|                               | Stockwater     | 06-01 TO 09-30 | 0.02   CFS |
|                               | Domestic       | 01-01 TO 12-31 | 0.04   CFS |

|               |                                                      |                      |
|---------------|------------------------------------------------------|----------------------|
| PLACE OF USE: | Irrigation                                           | Within Cassia County |
|               | T10S R23E S26 LOT 3    (SESW) 1.6<br>1.6 Acres Total |                      |
|               | Stockwater                                           | Within Cassia County |
|               | T10S R23E S26 LOT 3    (SESW)                        |                      |
|               | Domestic                                             | Within Cassia County |
|               | T10S R23E S26 LOT 3    (SESW)                        |                      |

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

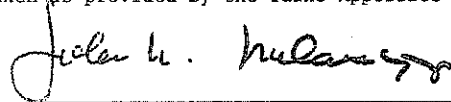
This partial decree is subject to such general provisions  
necessary for the definition of the rights or for the efficient  
administration of the water rights as may be ultimately  
determined by the Court at a point in time no later than the  
entry of a final unified decree. Section 42-1412(6), Idaho  
Code.

The quantity of water decreed for this water right for domestic  
use and stockwater use is not a determination of historical  
beneficial use.

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