

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 45-02383

NAME AND ADDRESS: KELLY SEARLE
 739 S 50 W
 BURLEY, ID 83318

CLOYD R SEARLE
474 E 550 S
BURLEY, ID 83318

CLIFFORD SEARLE
500 S 500 E
BURLEY, ID 83318

CRAIG SEARLE
522 E 600 S
BURLEY, ID 83318

KENT R SEARLE
600 S 476 E
BURLEY, ID 83318

RAYMOND C SEARLE
655 S 650 E
BURLEY, ID 83318

SOURCE: GROUND WATER

QUANTITY: 9.49 CFS
 2560.00 APY

The point of diversion located in the NENESE, S30, T11S, R24E is limited to a maximum diversion rate of 4.00 cfs. DIVERSION OF WATER FROM THE FOUR (4) POINTS OF DIVERSION LOCATED IN SECTION 32, T11S, R23E IN THE OAKLEY-KENYON CRITICAL GROUND WATER AREA SHALL NOT EXCEED A TOTAL ANNUAL DIVERSION VOLUME OF 2560 AF IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 20.51 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 5080 AF. COMBINED RIGHT NOS.: 45-2383, 45-7118, 45-7125, 45-7317

PRIORITY DATE: 06/14/1951

POINT OF DIVERSION:	T11S R23E S32	SWNWNE Within Cassia County
		NWSWNW
		SWSWNW
		NENESW
	R24E S28	SWNWSW
		NWSWSW
		SWSWSW
	S30	NENESE
		SESESE
	S32	SESESE

Prior to the diversion and use of water under Transfer approval 70414, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power

POINT OF DIVERSION (continued)

records or to maintain an existing measuring device.

PURPOSE AND			
PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	9.49 CFS
			2560.00 AFY

PLACE OF USE:	Irrigation		Within Cassia County
	T11S R23E S26	NWSE 1.0	SWSE 33.0
		SESE 14.0	
	S32	NENE 39.0	NWNE 40.0
		SWNE 41.0	SENE 40.0
		NENW 40.0	NWNW 39.0
		SWNW 30.0	SENE 41.0
		NESW 40.0	NWSW 40.0
		SWSW 39.0	SESE 40.0
		NESE 40.0	NWSE 41.0
		SWSE 40.0	SESE 39.0
	S35	NENE 41.0	NWNE 41.0
		SWNE 41.0	SENE 41.0
	R24E S28	NESW 41.0	NWSW 40.0
		SWSW 39.0	SESE 41.0
		NESE 40.0	NWSE 40.0
		SWSE 41.0	SESE 41.0
	S30	NWNE 40.0	SWNE 41.0
		NESE 37.0	NWSE 37.0
		SWSE 40.0	SESE 40.0
	S32	NESW 40.0	SESE 39.0
		SWSE 39.0	SESE 38.0
	1555.0 Acres Total		

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1270 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-2383, 45-7118, 45-7125, 45-7317.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 640 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

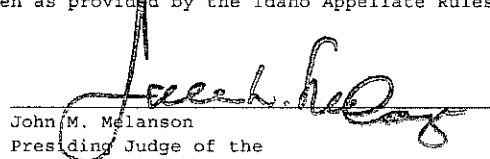
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

USE OF THIS RIGHT IS SUBJECT TO THE REMARKS AND CONDITIONS CONTAINED IN APPROVED IDWR TRANSFER NUMBER NO. 70414. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, 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

