

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)
) PARIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 29-04434

NAME AND ADDRESS: MAXILYN CAPELL
PO BOX 146
ARIMO, ID 83214

LINDA CAPELL
RONALD J CAPELL
PO BOX 116
ARIMO, ID 83214

SOURCE: SPRINGS TRIBUTARY: MARSH CREEK

QUANTITY: 0.34 CFS
2.00 AFY

FACILITY VOLUME 2 AF

PRIORITY DATE: 06/22/1948

POINT OF DIVERSION: T10S R37E S18 SESE Within Bannock County
SESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.34 CFS
	Irrigation Storage	01-01 TO 12-31	2.00 AFY
	Irrigation from Storage	04-01 TO 10-31	2.00 AFY
	Recreation Storage	01-01 TO 12-31	2.00 AFY
	Recreation from Storage	01-01 TO 12-31	2.00 AFY

RECREATION STORAGE IS FOR PRIVATE FISHING POND

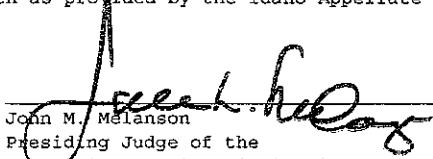
PLACE OF USE:			
Irrigation			Within Bannock County
T10S R37E S18	NESE 3.0		SESE 14.0
17.0 Acres Total			
Irrigation Storage			Within Bannock County
T10S R37E S18	NESE		SESE
Irrigation from Storage			Within Bannock County
T10S R37E S18	NESE		SESE
Recreation Storage			Within Bannock County
T10S R37E S18	NESE		SESE
Recreation from Storage			Within Bannock County
T10S R37E S18	NESE		SESE

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

THIS PARIAL 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