

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  
Case No. 39576 ) I.R.C.P. 54(b) FOR  
                  ) Water Right 29-02176

NAME AND ADDRESS: M KIP HARTVIGSEN  
137 MILL HOLLOW RD  
REXBURG, ID 83440

BONNIE H SIMMONS  
3005 E CHAUCER PL  
SALT LAKE CITY, UT 84108

REED & DORIS HARTVIGSEN FAMILY  
649 E CENTER ST  
BOUNTIFUL, UT 84010

RICHARD N HARTVIGSEN  
1023 E MILLSTREAM WAY  
BOUNTIFUL, UT 84010

LOIS H MORRILL  
1118 10TH ST  
OGDEN, UT 84404

SOURCE: ASPEN CREEK TRIBUTARY: MARSH CREEK

QUANTITY: 0.67 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A  
TOTAL COMBINED DIVERSION RATE OF 1.50 CFS. COMBINED RIGHT NOS.:  
29-02174, 29-02176, 29-11182

PRIORITY DATE: 04/02/1914

POINT OF DIVERSION: T12S R37E S27 SWSSEW Within Bannock County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Irrigation     | 04-01 TO 10-31 | 0.67 CFS |

| PLACE OF USE: | Irrigation       | Within Bannock County |
|---------------|------------------|-----------------------|
|               | T12S R37E S27    | SWNW 11.0 NESW 6.0    |
|               |                  | NWSW 16.0 SESW 4.0    |
|               | S28              | SENE 28.0 NESE 13.0   |
|               | 78.0 Acres Total |                       |

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO  
THE IRRIGATION OF A COMBINED TOTAL OF 78 ACRES IN A SINGLE  
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-02174, 29-02176,  
29-11182

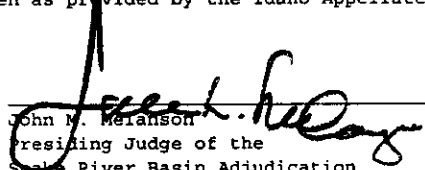
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 40 ACRES WITHIN THE  
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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. 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.

  
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John M. Meranson  
Presiding Judge of the  
Snake River Basin Adjudication