

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

ORDER OF PARTIAL DECREE

For Water Right: 29-04111

DATED November 3, 2004.

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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

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 29-04111

2004 NOV -3 PM 12:18
DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO
FILED

NAME AND ADDRESS: MARILYN MIKKELSON
2433 E HAWKINS
DOWNEY, ID 83234

JOHN WILLIAM HART
2435 E HAWKINS
DOWNEY, ID 83234

SOURCE: SPRING TRIBUTARY: PECK CREEK

QUANTITY: 1.20 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 1.42 CFS. COMBINED RIGHT NOS.:
29-04109, 29-04111

PRIORITY DATE: 06/01/1930

POINT OF DIVERSION: T11S R37E S06 NWSE Within Bannock County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.20 CFS

PLACE OF USE: Irrigation Within Bannock County
T10S R37E S31 LOT 7 (SWSW) 6.9 LOT 8 (SWSW) 21.0
T11S R37E S06 LOT 3 (NENW) 18.0
45.9 Acres Total

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 45.9 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-04109, 29-04111

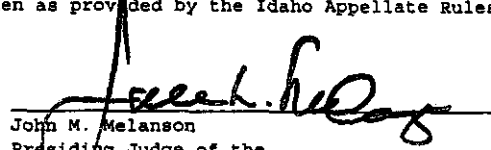
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 33.2 ACRES
WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION
SEASON.

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.


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

2004 NOV 03 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 29-04111

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 29-04111 was mailed
on November 03, 2004, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

MARILYN MIKKELSON
2433 E HAWKINS
DOWNEY, ID 83234
Phone: 208-897-5743

JOHN WILLIAM HART
2435 E HAWKINS
DOWNEY, ID 83234
Phone: 208-897-5743

JULIE MUPRHY
Chief Deputy Clerk