

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  
                  ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
                  ) Water Right 29-00328A

NAME AND ADDRESS: DONNA B WILLIAMS  
KENNETH M WILLIAMS  
26132 S DOWNATA RD  
DOWNEY, ID 83234

SOURCE: BIRCH CREEK TRIBUTARY: MARSH CREEK

POINTS OF INJECTION INTO AND POINT OF REDIVERSION FROM BITCH  
CREEK.

QUANTITY: 2.52 CFS

The amount of water diverted under this water right may not  
exceed 1/24 of the stream flow of Birch Creek at the point of  
diversion described below at any given time. This water right  
shall not provide more than .02 cubic feet per second per acre  
at any time.

USE OF THIS RIGHT WITH RIGHT NO. 29-113469 IS LIMITED TO A  
TOTAL COMBINED DIVERSION RATE OF 2.52 CFS.

PRIORITY DATE: 10/10/1878

POINT OF DIVERSION: T12S R36E S23 SESENE (Rediversion) Within Bannock County  
                                  S27 SENWSW  
                                          SENWSW  
                                          SENWSW (Injection)  
                                          SENWSW (Injection)

TWO POINTS OF DIVERSION, TWO POINTS OF INJECTION, LOCATED IN  
T12S R36E, S27, NWSW.

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Irrigation     | 04-01 TO 10-31 | 2.52 CFS |

| PLACE OF USE: | Irrigation        | Within Bannock County |
|---------------|-------------------|-----------------------|
|               | T12S R36E S12     | NENW 39.0 NWNW 21.0   |
|               |                   | SWNW 26.0 SENW 40.0   |
|               | 126.0 Acres Total |                       |

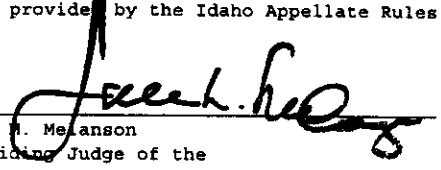
USE OF THIS RIGHT WITH RIGHT NO. 29-13469 IS LIMITED TO THE  
IRRIGATION OF A COMBINED TOTAL OF 126.0 ACRES IN A SINGLE  
IRRIGATION SEASON.

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 H. Melanson  
Presiding Judge of the  
Snake River Basin Adjudication