

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 29-10502

NAME AND ADDRESS: NEIBAUR & WEST FARMS PARTNERSH
C/O GRANT NEIBAUR 2
374 NEIBAUR RD
AMERICAN FALLS, ID 83211

SOURCE: GROUND WATER

QUANTITY: 2.02 CFS
353.50 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 11.47 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 2564.5 AF. COMBINED RIGHT
NOS.:

PRIORITY DATE: 04/01/1987

THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A
PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED
AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS
BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION
42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR
RIGHT.

POINT OF DIVERSION: T07S R31E S25 NWNSE Within Power County
S36 NESWNE
R32E S19 SESENW
S30 NESWNW
NESWNW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	2.02 CFS 353.50 AFY

PLACE OF USE:	Irrigation	Within Power County
	T07S R31E S24	NESE 2.5 SESE 4.6
	S25	NENE 25.0 NENE 0.3
		SENE 4.5 NESE 24.0
		SESE 34.0
	S36	NENE 33.0 NWNE 11.0
		SWNE 23.0 SENE 12.0
	R32E S19	NWNE 27.0 SWNE 38.0
		SENE 9.3 NENW 28.0
		SENE 37.0 NESW 36.0
	LOT 3 (NWSW) 29.0	LOT 4 (SWSW) 40.0
		SESW 34.0 NESE 2.0
		NWSE 33.0 SWSE 21.0
	S30	NWNE 11.0 SWNE 0.5
		NENW 37.0 (NWNW) 25.0
	LOT 2 (SWNW) 33.0	SENE 33.0
		NESW 16.0 LOT 3 (NWSW) 39.0
	LOT 4 (SWSW) 25.0	SESW 0.1
	S31 LOT 1 (NWNW) 8.6	
	736.4 Acres Total	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 101 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

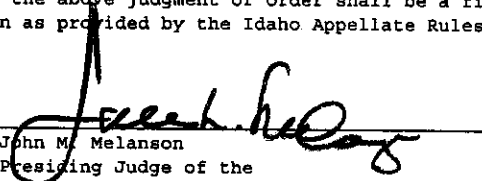
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHTS NO. 29-2477
AND 29-7215 PURSUANT TO SECTION 42-1426, 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