

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 29-13256

NAME AND ADDRESS: MARJORIE E SMITH  
8625 W POCATELLO CREEK RD  
POCATELLO, ID 83201

SOURCE: GROUND WATER

QUANTITY: 0.06 CFS  
4.60 APY

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL  
NOT EXCEED 13,000 GALLONS PER DAY.  
USE OF THIS RIGHT WITH RIGHT NO. 29-13254 FOR IRRIGATION  
PURPOSES IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.03  
CFS.

PRIORITY DATE: 08/25/1955

POINT OF DIVERSION: T06S R35E S20 NESENW Within Bannock County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Irrigation     | 04-01 TO 10-31 | 0.02 CFS |
|                               |                |                | 4.00 APY |
|                               | Domestic       | 01-01 TO 12-31 | 0.04 CFS |
|                               |                |                | 0.60 APY |

PLACE OF USE: Irrigation Within Bannock County  
T06S R35E S20 NENW 0.3 SENW 0.7  
1.0 Acres Total

Domestic Within Bannock County  
Same as Irrigation

USE OF THIS RIGHT WITH RIGHT NO. 29-13254 IS LIMITED TO THE  
IRRIGATION OF A COMBINED TOTAL OF 1 ACRES IN A SINGLE IRRIGATION  
SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 1.0 ACRES WITHIN THE  
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

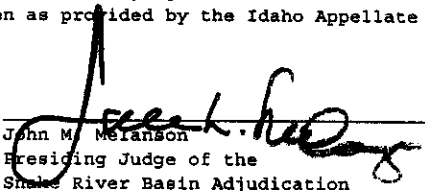
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC  
USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

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).

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

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. Melanson  
Residing Judge of the  
Snake River Basin Adjudication