

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

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED *MM*

2003 DEC 31 AM 10 11

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 29-04112

NAME AND ADDRESS: JOHN WILLIAM HART
MARILYN MIKKELSON
2435 E HAWKINS
DOWNEY, ID 83234

SOURCE: UNNAMED STREAM TRIBUTARY: PECK CREEK

RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

QUANTITY: 1.27 CFS

PRIORITY DATE: 04/01/1953

POINT OF DIVERSION: T11S R37E S06 SWNE Within Bannock County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.27 CFS

PLACE OF USE: Irrigation Within Bannock County
T11S R37E S06 LOT 3 (NENW) 4.0 LOT 5 (SWNW) 22.0
SENW 30.0 NESW 34.0
LOT 6 (NWSW) 28.0
118.0 Acres Total

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 255 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-04112, 29-07183
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 88 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
John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication