

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 51-07108A

2001 APR 26 AM 9:54

DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
FILED

NAME AND ADDRESS: MELVIN G HARDER  
RUTH HARDER  
19937 C HWY 30  
BUHL, ID 83316

SOURCE: GROUNDWATER

QUANTITY: 3.00 CFS

USE OF THIS RIGHT WITH RIGHT NO. 47-02261 IS LIMITED TO A TOTAL  
COMBINED ANNUAL DIVERSION VOLUME OF 3204.7 AF.

PRIORITY DATE: 07/15/1969

POINT OF DIVERSION: T09S R12E S35 NWSESW Within Twin Falls County

TWO POINTS OF DIVERSION LOCATED IN NWSESW, S35, T09S, R12E.

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Irrigation     | 04-01 TO 10-31 | 3.00 CFS |

| PLACE OF USE: | Irrigation        | Within Twin Falls County                                                                                          |                                                                                         |
|---------------|-------------------|-------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
|               | T09S R12E S26     | SWSW 25.0<br>NESE 40.0<br>SWSE 36.0<br>NENE 40.0<br>SWNE 21.5<br>NENW 40.0<br>SENE 40.0<br>NWNW 40.0<br>SENW 29.3 | SESW 40.0<br>NWSE 40.0<br>SESE 34.0<br>NENE 40.0<br>SENE 40.0<br>NWNW 40.0<br>NESW 36.6 |
|               | S35               |                                                                                                                   |                                                                                         |
|               | 502.4 Acres Total |                                                                                                                   |                                                                                         |

USE OF THIS RIGHT WITH RIGHT NO. 47-02261 IS LIMITED TO THE  
IRRIGATION OF 862.4 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.

*Roger Burdick*

Roger Burdick  
Presiding Judge of the  
Snake River Basin Adjudication