

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

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

2003 JUN 24 AM 9 37

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 43-10268

NAME AND ADDRESS: CHARLES R WARD
JANET O WARD
2075 E 1700 S
MALTA, ID 83342

SOURCE: SPRINGS TRIBUTARY: CASSIA CREEK

QUANTITY: 0.16 CFS
18.70 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.
WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE
THAN .02 CFS PER ACRE NOR MORE THAN 4.0 AFA PER ACRE AT THE
FIELD HEADGATE FOR IRRIGATION OF THE LANDS ABOVE. COMBINED RIGHT
NOS. 43-272, 43-273, 43-274, 43-2558, AND 43-10268.

PRIORITY DATE: 10/19/1928

POINT OF DIVERSION: T13S R26E S20 NWSESE Within Cassia County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.12 CFS 16.00 AFY
	Stockwater	01-01 TO 12-31	0.04 CFS 2.70 AFY

PLACE OF USE:	Irrigation	Within Cassia County
	T13S R26E S20	NESW 18.0 SESW 26.0 NESE 33.0 NWSE 28.0 SWSE 30.0 SESE 31.0 S21 187.0 Acres Total
	Stockwater	Within Cassia County
	T13S R26E S20	SESE

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 187 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS. 43-272, 43-273, 43-274, 43-2558, AND
43-10268.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 4 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
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

THESE SPRINGS RISE IN THE WASTE WATER DRAIN DITCH AND ARE USED
WITH THE WASTE WATER TO IRRIGATE LANDS COVERED UNDER THE OTHER
WATER RIGHTS LISTED. INSTREAM USE FOR STOCKWATER IS ALSO USED.
THIS WATER RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER
OF WATER DISTRICT 43-C.

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

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

OTHER PROVISIONS (continued)

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
Presiding Judge of the
Snake River Basin Adjudication