

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

SEP 17 2002

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 35-13241

By _____ Clerk

Deputy Clerk

NAME AND ADDRESS: LINDEN J BUTIKOFER
LOIS BUTIKOFER
6138 NORTH 5TH WEST
IDAHO FALLS, ID 83401

SOURCE: GROUND WATER

QUANTITY: 1.15 CFS
280.00 AFY

USE OF THIS RIGHT WITH RIGHT NOS. 35-7280 AND 35-7281 IS LIMITED
TO A TOTAL COMBINED DIVERSION RATE OF 5.13 CFS.

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: T04N R35E S17 SESENW Within Jefferson County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.15 CFS 280.00 AFY

PLACE OF USE:	Irrigation	Within Jefferson County
T04N R35E S17	NENE 18.0 SWNE 39.0 NENW 40.0 SWNW 40.0 NESW 40.0 SWSW 38.0 NESE 21.0 SWSE 38.0	NWNE 40.0 SENE 20.0 NWNW 36.0 SENE 40.0 NWSW 40.0 SESE 38.0 NWSE 40.0 SESE 32.0
	560.0 Acres Total	

USE OF THIS RIGHT WITH RIGHT NOS. 35-7280 AND 35-7281 IS LIMITED
TO THE IRRIGATION OF A COMBINED TOTAL OF 560 ACRES 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. 35-7280
AND 35-7281 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.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication