

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
Fifth Judicial District
County of Twin Falls - State of Idaho

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 31-00243

SEP 17 2002

By _____ Clerk

Clerk

NAME AND ADDRESS: JOAN M BURTENSHAW
VAN T BURTENSHAW
1698 N 1300 E
TERRETON, ID 83450

SOURCE: MUD LAKE TRIBUTARY: SINKS

QUANTITY: 639.60 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 09/18/1914

POINT OF DIVERSION: T06N R34E S01 LOT 4 (NESWSW) Within Jefferson County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater Storage	01-01 TO 12-31	2.70 AFY
	Stockwater from Storage	04-01 TO 10-31	2.70 AFY
	Irrigation Storage	01-01 TO 12-31	639.60 AFY
	Irrigation from Storage	04-01 TO 10-31	639.60 AFY

PLACE OF USE: Irrigation from Storage Within Jefferson County
T06N R34E S15 NENE 33.0 NWNE 36.0
SWNE 37.0 SENE 35.0
141.0 Acres Total

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 130 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.

THE ADMINISTRATION OF THIS WATER RIGHT IS ALSO SUBJECT TO THE
AGREEMENT OF WATER RIGHT OWNERS REGARDING MUD LAKE WATER
DELIVERY DATED APRIL 17, 2001, WHICH IS ON FILE IN THE RECORDS
OF THE CLERK AND RECORDER OF JEFFERSON COUNTY, IDAHO, INSTRUMENT
NUMBER 307626.

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.

A handwritten signature in black ink, reading "Roger Burdick", is written over a horizontal line.

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication