

MAY - 8 2003

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

2003 MAY 7 AM 10 40

For Water Rights 78-10340

ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

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 MAY 7 AM 10 40

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 78-10340

NAME AND ADDRESS: SHINGLE CREEK LLC
P O BOX 1160
RIGGINS, ID 83549

SOURCE: CANNON BALL POND TRIBUTARY: SINKS
UNNAMED STREAM SINKS

QUANTITY: 0.03 CFS

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

THIS RIGHT SHALL BE USED IN CONJUNCTION WITH RIGHT NO.
78-12007 AND 78-12018 AND IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF .03 CFS AND A TOTAL QUANTITY OF 13,000
GALLONS PER DAY.

PRIORITY DATE: 05/09/1906

POINT OF DIVERSION: T23N R01W S15 NWSEW Within Idaho County
S16 NWNESW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	05-15 TO 11-15	0.03 CFS

PLACE OF USE: Stockwater Within Idaho County
T23N R01W S15 SESW
S16 NESW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.
THE OPERATION, USE, AND ADMINISTRATION OF THIS WATER RIGHT IS
ALSO SUBJECT TO THE TERMS AND CONDITIONS OF THE STIPULATION
AND JOINT MOTION FOR ORDER APPROVING STIPULATION ENTERED INTO
ON AUGUST 29, 2002 BETWEEN THE UNITED STATES OF AMERICA AND
WILLIS DEVENY, BETTY DEVENY AND SHINGLE CREEK LLC, FILED IN THE
OFFICE OF THE IDAHO COUNTY RECORDER AND RECORDED ON OCTOBER 31,
2002 AS INSTRUMENT NO: 425169; THE PROVISIONS OF SUCH
STIPULATION TO APPLY FULLY TO 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
Presiding Judge of the
Snake River Basin Adjudication