

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 43-04040

NAME AND ADDRESS: GARY B HARPER
2040 E 850 S
DECLO, ID 83323

SOURCE: GROUND WATER

QUANTITY: 2.40 CFS
1284.00 AFY

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

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1284 AF. COMBINED
RIGHT NOS.: 43-04040, 43-04041, 43-04053, & 43-04054.

PRIORITY DATE: 05/15/1956

POINT OF DIVERSION: T12S R28E S30 SENESW Within Cassia County
LOT 4 (SESWSW)
LOT 4 (SESWSW)

TWO POINTS OF DIVERSION LOCATED IN T12S, R28E, S30, SESWSW.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic	01-01 TO 12-31	0.04 CFS
	Irrigation	03-15 TO 11-15	2.40 CFS
			1284.00 AFY

PLACE OF USE:	Irrigation	Within Cassia County
	T12S R28E S30 NENW 40.0 LOT 1 (NWNW) 52.0	
	LOT 2 (SWNW) 53.0 SENW 40.0	
	NESW 40.0 LOT 3 (NWSW) 53.0	
	LOT 4 (SWSW) 43.0	
	321.0 Acres Total	

Domestic	Within Cassia County
T12S R28E S30 LOT 4 (SWSW)	

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 321 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 43-04040, 43-04041, 43-04053, & 43-04054.

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

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 cursive script, reading "Roger Burdick", is written over a horizontal line.

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication