

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)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 43-04035

NAME AND ADDRESS: REID S STEWART
RUTH O STEWART
1655 SUNSET DR
LOGAN, UT 84321

SOURCE: GROUND WATER

QUANTITY: 4.32 CFS
1833.00 AFY

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

USE OF THIS RIGHT WITH RIGHT NO. 43-2276 IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2068 AF.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 11.32 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 3140 AF. COMBINED RIGHT NOS.: 43-2276,
43-2521, 43-2381A, 43-2534A, 43-4035, 43-10535, 43-13102.

PRIORITY DATE: 04/22/1958

POINT OF DIVERSION: T15S R26E S24 NWSWN Within Cassia County
NESESW
SWSWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	4.32 CFS
			1833.00 AFY
	Stockwater	01-01 TO 12-31	0.12 CFS

PLACE OF USE: Irrigation Within Cassia County

T15S R26E S23	NESE 0.1	SESE 4.2
S24	NENE 40.0	SWNE 35.0
	SENE 40.0	SWNW 39.0
	SENW 38.0	NESW 40.0
	NWSW 40.0	SWSW 40.0
	SESW 40.0	NESE 40.0
	NWSE 40.0	SWSE 40.0
	SESE 40.0	
S25	NENE 40.0	NWNE 40.0
	NENW 40.0	NWNW 40.0
S26	NENE 39.0	NWNE 33.0
	SWNE 40.0	SENE 40.0
R27E S18 LOT 4	(SWSW) 48.0	
S19 LOT 1	(NWNW) 49.0	LOT 2 (SWNW) 49.0
LOT 3	(NWSW) 49.0	
1023.3 Acres Total		

Stockwater		Within Cassia County
T15S R26E S23	NESE	SESE
S24	NENE	NWNE
	SWNE	SENE
	SWNW	SENW
	NESW	NWSW
	SWSW	SESW
	NESE	NWSE
	SWSE	SESE

PLACE OF USE (continued)

S25	NENE	NWNE
	NENW	NWNW
S26	NENE	NWNE
	SWNE	SENE
R27E S18 LOT 4	(SWSW)	
S19 LOT 1	(NWNW)	LOT 2 (SWNW)
LOT 3	(NWSW)	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 488 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 43-2276 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 517 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1023 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 43-046, 43-128A, 43-129, 43-130, 43-131, 43-2167A, 43-2276, 43-2327, 43-2381A, 43-2461, 43-2521, 43-2534A, 43-4035, 43-4095, 43-10535, 43-13102.

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.

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