

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 43-04009

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

SOURCE: GROUND WATER

QUANTITY: 2.00 CFS
624.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 23.07 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 5680 AF. COMBINED RIGHT NOS.: 43-02309,
43-02312A, 43-02385, 43-02391, 43-02564, 43-04009, 43-04091,
43-04092, 43-04141 AND 43-10037.

PRIORITY DATE: 05/15/1953

POINT OF DIVERSION: T11S R26E S25 SWSWSW Within Cassia County
S26 SWNWNW
SESENW
SWSWSW
SESWSE
S27 SWSENE
S35 SWSWSW
SWSWSW

TWO POINTS OF DIVERSION LOCATED IN T11S, R26E, S35, SWSWSW.

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 03-15 TO 11-15 2.00 CFS
624.00 AFY

PLACE OF USE: Irrigation Within Cassia County
T11S R26E S25 NESW 33.0 NWSW 39.0
SWSW 40.0 SESW 33.0
S26 NENE 24.0 NWNE 40.0
SWNE 40.0 SENE 40.0
NENW 40.0 NWNW 40.0
SWNW 40.0 SENW 40.0
NESW 40.0 NWSW 39.0
SWSW 38.0 SESW 39.0
NESE 40.0 NWSE 40.0
SWSE 40.0 SESE 40.0
S27 NENE 40.0 NWNE 40.0
SWNE 40.0 SENE 40.0
NESE 40.0 NWSE 40.0
SWSE 40.0 SESE 40.0
S34 NENE 40.0 NWNE 40.0
SWNE 33.0 SENE 40.0
S35 NENW 40.0 NWNW 40.0
SWNW 40.0 SENW 40.0
NESW 40.0 NWSW 40.0
SWSW 40.0 SESW 40.0
T12S R26E S03 LOT 1 (NENE) 31.0 LOT 2 (NWNE) 1.0
SENE 10.0
1600.0 Acres Total

PLACE OF USE (continued)

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 1579 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 43-02309, 43-02312A, 43-02385, 43-02391,
43-02564, 43-04009, 43-04091, 43-04092, 43-04141 AND 43-10037.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 156 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF 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