

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 43-02564

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

SOURCE: GROUND WATER

QUANTITY: 2.20 CFS
840.00 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: 06/09/1963

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	04-01 TO 10-31	2.20 CFS 840.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK
IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY
OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE
A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.^^^

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

PLACE OF USE (continued)

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		

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 210 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