

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 43-02499

NAME AND ADDRESS: JOSEPH J NEWMAN
URSULA J NEWMAN
PO BOX 68
DECLO, ID 83323

SOURCE: GROUND WATER

QUANTITY: 4.45 CFS
948.00 AFY

USE OF THIS RIGHT WITH RIGHT NO. 43-10219 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.45 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 948 AF.

PRIORITY DATE: 08/12/1960

POINT OF DIVERSION: T10S R26E S35 NWNWNE Within Cassia County
NWNWNE

TWO POINTS OF DIVERSION LOCATED IN T10S, R26E, S35, NWNWNE.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	4.45 CFS 948.00 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
	T10S R26E S35	
	NENE 35.0	NWNE 33.0
	SWNE 40.0	SENE 36.0
	NENW 38.0	NWNW 12.0
	SWNW 4.3	SENW 39.0
	NESW 28.0	NWSW 0.7
	SESW 1.5	NESE 36.0
	NWSE 40.0	SWSE 36.0
	SESE 36.0	
	415.5 Acres Total	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 237 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NO. 43-10219 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 415.5 ACRES 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