

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 43-02429

NAME AND ADDRESS: MICHAEL D GARNER
 TONI L GARNER
 113 S 2550 E
 DECLO, ID 83323

SOURCE: GROUND WATER

QUANTITY: 1.85 CFS
 400.00 AFY

USE OF THIS RIGHT WITH RIGHT NO. 43-04206 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.85 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 400 AF.

PRIORITY DATE: 08/05/1955

POINT OF DIVERSION: T11S R27E S16 SESENE Within Cassia County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	1.85 CFS
			400.00 AFY
	Domestic	01-01 TO 12-31	0.04 CFS

PLACE OF USE: Irrigation Within Cassia County
 T11S R27E S16 NENE 39.0 NWNE 40.0
 SWNE 40.0 SENE 34.0
 153.0 Acres Total

Domestic Within Cassia County
 T11S R27E S16 SENE

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 100 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NO. 43-04206 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 153 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.

A handwritten signature in black ink, reading "Roger Burdick", is written over a horizontal line.

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication