

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 43-02388

NAME AND ADDRESS: DOUGLAS R HARPER
2201E 1300 S
MALTA, ID 83342

SOURCE: GROUND WATER

QUANTITY: 2.20 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 2.18 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 440 AF. COMBINED RIGHT NOS.: 43-2388 AND
43-12993.

PRIORITY DATE: 02/23/1953

POINT OF DIVERSION: T12S R26E S36 SWNWNE Within Cassia County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	2.18 CFS
			440.00 AFY
	Stockwater	01-01 TO 12-31	0.02 CFS

PLACE OF USE:	Irrigation		Within Cassia County
	T12S R26E S36	NENE 38.0	NWNE 36.0
		SWNE 40.0	SENE 35.0
		NENW 36.0	SENW 40.0
	225.0 Acres Total		
	Stockwater		Within Cassia County
	T12S R26E S25	SWSE	
	S36	NENE	NWNE
		SWNE	SENE
		NENW	SENW
		NESE	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 110 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 225 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS. 43-294, 43-295, 43-296B, 43-2388, 43-12992
AND 43-12993.

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