

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 43-12960

2002 AUG 15 PM 4: 58

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

NAME AND ADDRESS: SUNSET RANCH INC
C/O DONALD F JOHNSON
PO BOX 761
BURLEY, ID 83318

RECEIVED

AUG 16 2002

SOURCE: GROUND WATER

QUANTITY: 1.44 CFS

Department of Water Resources

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 6.3 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1804 AF. COMBINED RIGHT NOS.: 43-02422,
43-10238, & 43-12960.

PRIORITY DATE: 06/30/1985

POINT OF DIVERSION: T12S R26E S25 SESWNE Within Cassia County
SESENE
R27E S30 LOT 2 (SWSWNW)
SENE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	1.44 CFS

PLACE OF USE:	Irrigation	Within Cassia County
T12S R26E S24	NESE 32.0	NWSE 28.0
	SWSE 28.0	SESE 39.0
S25	NENE 40.0	NWNE 33.0
	SWNE 29.0	SENE 38.0
R27E S19 LOT 3	(NWSW) 51.0	LOT 4 (SWSW) 51.0
	SESW 41.0	
S30	NENW 41.0	LOT 1 (NWNW) 52.0
LOT 2	(SWNW) 50.0	SENE 32.0
585.0 Acres Total		

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 134 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 585 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 43-00193, 43-00194, 43-00195, 43-02422,
43-10238, & 43-12960.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE RIGHT HOLDER SHALL USE THE FULL ALLOTMENT OF APPURTENANT
SURFACE WATER RIGHTS IN CONJUNCTION WITH GROUNDWATER DIVERTED
UNDER THIS RIGHT AND SHALL ONLY DIVERT GROUNDWATER UNDER THIS
RIGHT WHEN WATER FROM THE APPURTENANT SURFACE WATER RIGHTS
CANNOT BE DELIVERED TO THE RIGHT HOLDER.

IF THE SURFACE WATER RIGHT(S) APPURTENANT TO THE PLACE OF USE IS
SOLD, TRANSFERRED, LEASED OR USED ON ANY OTHER PLACE OF USE, THIS
RIGHT TO DIVERT GROUNDWATER SHALL NOT BE USED WITHOUT AN APPROVED
TRANSFER PURSUANT TO SECTION 42-222, IDAHO CODE, OR APPROVAL OF
THE DEPARTMENT IF A TRANSFER IS NOT REQUIRED.

THIS RIGHT IS AN EXPANSION OF RIGHT NOS. 43-02422 & 43-10238
PURSUANT TO SECTION 42-1416B, IDAHO CODE.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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