

2002 OCT 23 PM 2 56

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 43-00011

NAME AND ADDRESS: WILLIAM & VIRGINIA BRUESCH FAM
RICHARD BRUESCH TRUSTEE
PO BOX 40280
MESA, AZ 85274-0280

SOURCE: STINES CREEK TRIBUTARY: ALMO CREEK

QUANTITY: 1.60 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL
NOT EXCEED 13,000 GALLONS PER DAY.

USE OF THIS RIGHT WITH RIGHT 43-02148 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 1.60 CFS.^^^

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.74 CFS. COMBINED RIGHT NOS.:
43-012, 43-014, 43-10280.

PRIORITY DATE: 04/01/1880

POINT OF DIVERSION: T15S R24E S07 SESESE (Rediversion) Within Cassia County
SENW
S18 SWNE (Rediversion)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.60 CFS
	Stockwater	01-01 TO 12-31	0.02 CFS

PLACE OF USE: Irrigation Within Cassia County
T15S R24E S18 NWNE 3.6 SWNE 18.0
SENE 41.0 NESE 17.0
79.6 Acres Total

Stockwater Within Cassia County
T15S R24E S18 NWNE SWNE
SENE NESE

USE OF THIS RIGHT WITH RIGHT NO. 43-02148 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 80 ACRES IN A SINGLE
IRRIGATION SEASON.^^^

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