

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 43-10037

NAME AND ADDRESS: GARY B HARPER
2040 E 850 S
DECLO, ID 83323

SOURCE: GROUND WATER

QUANTITY: 1.55 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 23.07 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 5680 AF. COMBINED RIGHT NOS.: 43-02309,
43-02312A, 43-02385, 43-02391, 43-02564, 43-04009, 43-04091,
43-04092, 43-04141 AND 43-10037.

USE OF THIS RIGHT WITH RIGHT NOS. 43-02312A AND 43-04092 IS
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.2 CFS.

PRIORITY DATE: 06/30/1985

POINT OF DIVERSION:	T11S R26E S25	SWSWSW	Within Cassia County
	S26	SWNWNW	
		SESENW	
		SWSWSW	
		SESWSE	
	S27	SWSENE	
	S35	SWSWSW	
		SWSWSW	

TWO POINTS OF DIVERSION LOCATED IN T11S, R26E, S35, SWSWSW.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	1.55 CFS

PLACE OF USE:	Irrigation		Within Cassia County
	T11S R26E S25	NESW 33.0	NWSW 39.0
		SWSW 40.0	SESW 33.0
	S26	NENE 24.0	NWNE 40.0
		SWNE 40.0	SENE 40.0
		NENW 40.0	NWNW 40.0
		SWNW 40.0	SENE 40.0
		NESW 40.0	NWSW 39.0
		SWSW 38.0	SESW 39.0
		NESE 40.0	NWSE 40.0
		SWSE 40.0	SESE 40.0
	S27	NENE 40.0	NWNE 40.0
		SWNE 40.0	SENE 40.0
		NESE 40.0	NWSE 40.0
		SWSE 40.0	SESE 40.0
	S34	NENE 40.0	NWNE 40.0
		SWNE 33.0	SENE 40.0
	S35	NENW 40.0	NWNW 40.0
		SWNW 40.0	SENE 40.0
		NESW 40.0	NWSW 40.0
		SWSW 40.0	SESW 40.0
	T12S R26E S03 LOT 1	(NENE) 31.0	LOT 2 (NWNE) 1.0
		SENE 10.0	
	1600.0 Acres Total		

PLACE OF USE (continued)

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 137 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 1579 ACRES IN A SINGLE IRRIGATION SEASON.

COMBINED RIGHT NOS.: 43-02309, 43-02312A, 43-02385, 43-02391, 43-02564, 43-04009, 43-04091, 43-04092, 43-04141 AND 43-10037.

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

THIS RIGHT IS AN EXPANSION OF RIGHT NOS. 43-02309, 43-02312A, 43-02385, 43-02391, 43-02564, 43-04009, 43-04091, 43-04092 AND 43-04141 PURSUANT TO SECTION 42-1416B, IDAHO CODE.

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