

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 35-07744

202 MAR 11 PM 4:45
CLERK OF DISTRICT COURT
TWIN FALLS, IDAHO

NAME AND ADDRESS: BURLEIGH TOMCHAK
MABEL TOMCHAK
458 BASSETT RD
ROBERTS, ID 83444

SOURCE: GROUNDWATER

QUANTITY: 6.58 CFS

THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE
NO MORE THAN .02 CFS PER ACRE NOR EXCEED A COMBINED ANNUAL
MAXIMUM DIVERSION VOLUME OF 1316.0 AF AT THE FIELD HEADGATE FOR
THE PLACE OF USE FOR THIS RIGHT.

PRIORITY DATE: 09/15/1989

POINT OF DIVERSION: T04N R37E S03 LOT 05 (SWSW) Within Jefferson County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	6.58 CFS

PLACE OF USE:	Irrigation	Within Jefferson County
	T04N R37E S04 LOT 01 (NENE) 39.0	LOT 02 (NWNE) 39.0
	SWNE 36.0	SENE 36.0
	NESW 24.0	NWSW 5.0
	SESW 25.0	NESE 20.0
	NWSE 32.0	SWSE 36.0
	SESE 37.0	
	329.0 Acres Total	

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

THIS RIGHT SHALL NOT BE USED IF THE SURFACE WATER RIGHT(S)
APPURTENANT TO THE PLACE OF USE IS SOLD, TRANSFERRED, LEASED OR
USED ON ANY OTHER PLACE OF USE.

THE RIGHT HOLDER SHALL USE THE FULL ALLOTMENT OF
APPURTENANT SURFACE WATER RIGHTS IN CONJUNCTION WITH GROUNDWATER
DIVERTED UNDER THIS RIGHT.

RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 01 FOR THE
SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE,
WHICH WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A
LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 01 REPORT
FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED
ABOVE WILL CONTAIN COMBINED USE LIMITATIONS FOR THIS RIGHT AND
THE BASIN 01 RIGHTS.

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