

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho
SEP 17 2002
By _____ Clerk

Deputy Clerk

In Re SRBA) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54 (b) FOR
Case No. 39576)
) Water Right 35-13208

NAME AND ADDRESS: V R BENSON
1604 W TABER RD
BLACKFOOT, ID 83221

SOURCE: GROUND WATER

QUANTITY: 0.98 CFS
264.00 AFY

USE OF THIS RIGHT WITH RIGHT NO. 35-07366 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 7.0 CFS.

PRIORITY DATE: 07/21/1979

THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.

POINT OF DIVERSION: T01N R32E S34 SWNWNW Within Bingham County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.98 CFS
			264.00 AFY

PLACE OF USE:	Irrigation	Within Bingham County
	T01N R32E S33	NENE 39.0 NWNE 40.0
		SWNE 40.0 SENE 39.0
	S34	NENE 39.0 NWNE 39.0
		SWNE 40.0 SENE 39.0
		NENW 40.0 NWNW 39.0
		SWNW 39.0 SENW 40.0
	S35	NWNW 31.0 SWNW 35.0
	539.0 Acres Total	

USE OF THIS RIGHT WITH RIGHT NO. 35-07366 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 539 ACRES IN A SINGLE IRRIGATION SEASON.

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

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 35-07366
PURSUANT TO SECTION 42-1426, 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