

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 32-00005B

NAME AND ADDRESS: BRION EGAN  
GARY EGAN  
HC 61 BOX 1060  
DUBOIS, ID 83423

SOURCE: MEDICINE LODGE CREEK TRIBUTARY: SINKS  
QUANTITY: 0.47 CFS  
170.60 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A  
TOTAL COMBINED DIVERSION RATE OF 3.20 CFS AND TO A TOTAL  
COMBINED ANNUAL DIVERSION VOLUME OF 560 AF. COMBINED RIGHT  
NOS.: 32-00001B, 32-00002B, 32-00003B, 32-00004B, 32-07081D

PRIORITY DATE: 11/01/1885

POINT OF DIVERSION: T10N R35E S08 NWSW Within Clark County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY               |
|-------------------------------|----------------|----------------|------------------------|
|                               | Irrigation     | 04-01 TO 10-31 | 0.47 CFS<br>170.60 AFY |

| PLACE OF USE: | Irrigation        |           | Within Clark County |
|---------------|-------------------|-----------|---------------------|
|               | T10N R35E S07     | NESW 31.0 | SESW 29.0           |
|               |                   | NWSE 31.0 | SWSE 29.0           |
|               | S17               | NWNW 12.0 | SWNW 8.0            |
|               | S18               | NENE 13.0 | SENE 7.0            |
|               | 160.0 Acres Total |           |                     |

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO  
THE IRRIGATION OF A COMBINED TOTAL OF 160 ACRES IN A SINGLE  
IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00001B, 32-00002B,  
32-00003B, 32-00004B, 32-07081D

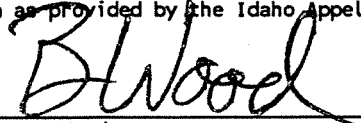
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE RIGHT HOLDER SHALL USE THE FULL ALLOTMENT OF APPURTENANT  
SURFACE WATER RIGHTS IN CONJUNCTION WITH GROUNDWATER DIVERTED  
UNDER RIGHT 32-07081D AND SHALL ONLY DIVERT GROUNDWATER WHEN  
WATER FROM THE APPURTENANT SURFACE WATER RIGHTS CANNOT BE  
DELIVERED TO THE RIGHT HOLDER.

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.

A handwritten signature in cursive script, appearing to read "B. Wood", is written over a horizontal line.

Barry Wood  
Administrative District Judge  
Presiding Judge of the  
Snake River Basin Adjudication