

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 31-07311

NAME AND ADDRESS: BEN D JERNBERG
14306 W MORNING STAR TRAIL
SURPRISE, AZ 85374

BEN D JERNBERG
3170 SYCAMORE LN
BILLINGS, MT 59102

SOURCE: GROUND WATER

QUANTITY: 4.62 CFS

USE OF THIS RIGHT WITH RIGHT NO. 31-02357 IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1613.5 AF.

PRIORITY DATE: 04/23/1979

POINT OF DIVERSION: T07N R34E S10 SESESW Within Jefferson County
SWSESW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-15	4.62 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 15 AND AFTER OCTOBER 15 UNDER THIS REMARK
IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY
OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE
A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:	Irrigation		Within Jefferson County
	T07N R34E S09	NESE 33.0	SWSE 27.0
		SESE 26.0	
	S10	NWSW 4.0	SWSW 28.0
	S15	NWNW 39.0	SWNW 5.0
	S16	NENE 39.0	NWNE 40.0
		SWNE 34.0	NENW 40.0
		NWNW 39.0	SWNW 38.0
		SENW 34.0	NWSW 20.0
		NWSE 15.0	
	461.0 Acres Total		

USE OF THIS RIGHT WITH RIGHT NO. 31-02357 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 461 ACRES IN A SINGLE
IRRIGATION SEASON.

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

WATER DIVERTED UNDER THIS RIGHT, AND AN ADDITIONAL 4.99 CFS
OF GROUND WATER DIVERTED FROM THE POINTS OF DIVERSION DESCRIBED
ABOVE MAY ALSO BE DIVERTED ONTO 663 ACRES OF UNCULTIVATED
PASTURE LOCATED IN T07N, R34E, SECTIONS 15, 16, 21, AND 22, BUT
THIS ADDITIONAL USE IS NOT AN APPURTENANCE OF THE LAND UPON
WHICH IT OCCURS.

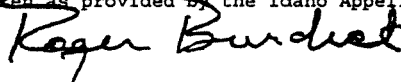
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT

OTHER PROVISIONS (continued)

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

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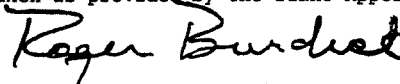
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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