

DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_

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 )  
 )  
Case No. 39576 )  
 )

**AMENDED**  
PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 65-10973

2004 JUL 29 PM 3:43  
DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
FILED

NAME AND ADDRESS: MC SHELLEY FAMILY TRUST  
C/O MICHAEL DERRICK TRUSTEE  
95 SW 4TH AVE  
ONTARIO, OR 97914

SOURCE: GROUND WATER

QUANTITY: 0.06 CFS  
1.60 AFY

The quantity of water under this right shall not exceed 13,000  
gallons per day.

PRIORITY DATE: 06/01/1952

POINT OF DIVERSION: T09N R05W S32 NESW Within Payette County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Stockwater     | 01-01 TO 12-31 | 0.02 CFS |
|                               |                |                | 0.40 AFY |
|                               | Domestic       | 01-01 TO 12-31 | 0.04 CFS |
|                               |                |                | 1.20 AFY |

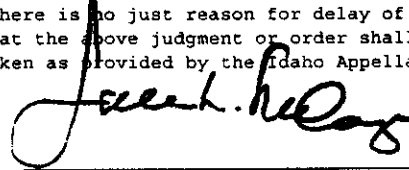
|               |                    |                       |
|---------------|--------------------|-----------------------|
| PLACE OF USE: | Stockwater         | Within Payette County |
|               | Same as Domestic   |                       |
|               | Domestic           | Within Payette County |
|               | T09N R05W S32 NESW |                       |

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

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.



John M. Melanson  
Presiding Judge of the  
Snake River Basin Adjudication

2004 JUL 29 PM 02:00  
DISTRICT COURT - SRBA  
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CERTIFICATE OF MAILING

Water Right(s): 65-10973

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE  
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 65-10973 was mailed  
on July 29, 2004, with sufficient first-class postage prepaid  
to the following:

DIRECTOR OF IDWR  
PO BOX 83720  
BOISE, ID 83720-0098

MC SHELLEY FAMILY TRUST  
C/O MICHAEL DERRICK TRUSTEE  
95 SW 4TH AVE  
ONTARIO, OR 97914  
Phone: 208-889-2999

DIANA DELANEY  
Chief Deputy Clerk

CERTIFICATE OF MAILING

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07/29/04