

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re CSRBA

Case No. 49576

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR

Water Right 95-09074

DISTRICT COURT - CSRBA  
Fifth Judicial District  
County of Twin Falls - State of Idaho

NOV - 8 2019

By

Clerk

Deputy Clerk

NAME AND ADDRESS:

JOHNO MESSMER  
WENDY MC CARTOR MESSMER  
6369 W STANDING ELK TRAIL  
COEUR D ALENE, ID 83814

SOURCE:

SPRINGS TRIBUTARY: COUGAR CREEK

QUANTITY:

0.02 CFS  
9.80 AFY

PRIORITY DATE:

04/02/2001

POINT OF DIVERSION:

T50N R04W S20 SWSW Within Kootenai County

PURPOSE AND

PERIOD OF USE:

| PURPOSE OF USE  | PERIOD OF USE  | QUANTITY |
|-----------------|----------------|----------|
| Irrigation      | 03-15 TO 11-15 | 0.02 CFS |
|                 |                | 9.80 AFY |
| Fire Protection | 01-01 TO 12-31 | 0.02 CFS |

Water shall not be diverted for fire protection use under this  
right except to fight or repel an existing fire.

PLACE OF USE:

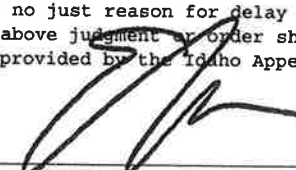
|                 |          |                        |
|-----------------|----------|------------------------|
| Irrigation      |          | Within Kootenai County |
| T50N R04W S20   | SWSW 5.0 |                        |
| 5.0 Acres Total |          |                        |
| Fire Protection |          | Within Kootenai County |
| T50N R04W S20   | SWSW     |                        |

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.

  
Eric J. Wildman  
Presiding Judge of the  
Coeur d'Alene-Spokane River Adjudication