

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 95-08055



NAME AND ADDRESS: KELLY R PENBERTHY  
TIMOTHY W PENBERTHY  
17877 W BISON TRAIL  
POST FALLS, ID 83854

SOURCE: SPRING TRIBUTARY: SINKS

QUANTITY: 0.06 CFS  
1.60 AFY

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

PRIORITY DATE: 09/25/1980

POINT OF DIVERSION: T50N R06W S24 SENE Within Kootenai County

PURPOSE AND

| 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 |

Domestic use is for 1 home.

PLACE OF USE: Stockwater Within Kootenai County  
T50N R06W S24 SENE  
Domestic Within Kootenai County  
T50N R06W S24 SENE

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