

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 95-04738

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

NOV - 8 2019

By

Clerk

Deputy Clerk

NAME AND ADDRESS:

DAVID L MALLERY
TRESIA R MALLERY
1845 S SIGNAL POINT RD
POST FALLS, ID 83854-5789

SOURCE:

SPRING TRIBUTARY: SINKS

QUANTITY:

0.01 CFS

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

PRIORITY DATE:

11/30/1957

POINT OF DIVERSION:

T50N R05W S17

NESE

Within Kootenai County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

Stockwater

Domestic

PERIOD OF USE

01-01 TO 12-31

01-01 TO 12-31

QUANTITY

0.01 CFS

0.01 CFS

Domestic use is for 1 home.

PLACE OF USE:

Stockwater

T50N R05W S17

NENE

Within Kootenai County

SENE

Domestic

T50N R05W S17

NENE

Within Kootenai County

SENE

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

The quantity of water decreed for this water right is not a
determination of historical beneficial use.

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