

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 )  
PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 65-01396

NAME AND ADDRESS: CATHY L SMITH  
GARY O SMITH  
1250 STEGERMAN CT  
MERIDIAN, ID 83642

SOURCE: SPRING TRIBUTARY: SINKS  
QUANTITY: 0.02 CFS  
3.90 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000  
GALLONS PER DAY.

THIS RIGHT WHEN COMBINED WITH RIGHTS 65-01397, 65-01402,  
65-01403, 65-01404 & 65-01395 SHALL PROVIDE NO MORE THAN .09 CFS  
NOR 5.4 AFA.

PRIORITY DATE: 04/01/1897

POINT OF DIVERSION: T07N R01W S33 LOT 07 ( NESW) Within Gem County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE   | PERIOD OF USE  | QUANTITY             |
|-------------------------------|------------------|----------------|----------------------|
|                               | Domestic 1 HOUSE | 01-01 TO 12-31 | 0.02 CFS<br>1.20 AFY |
|                               | Stockwater       | 01-01 TO 12-31 | 0.02 CFS<br>2.70 AFY |

PLACE OF USE: Stockwater Within Gem County  
T07N R01W S33 LOT 07 (NESW)  
Domestic Within Gem County  
T07N R01W S33 LOT 07 (NESW)

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.

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.

  
Daniel C. Hurlbutt, JR.  
Presiding Judge  
Snake River Basin Adjudication