2009 NOV 30 PM 02:00
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	)	PARTIAL DECREE PURSUANT TO
	)	I.R.C.P. 54(b) FOR
Case No. 39576	)	
	)	Water Right 86-11982

RECEIVED
DEC 02 2009
Department of Water Resources

NAME AND ADDRESS: ELLEN A HEIER
MAURICE L HEIER
PO BOX 271
KENDRICK, ID 83537

SOURCE: SPRINGS TRIBUTARY: SINKS

QUANTITY: 0.04 CFS
1.50 AFY

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

PRIORITY DATE: 05/01/1950

POINT OF DIVERSION: T38N R01W S04 NWNESW Within Latah County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Stockwater	01-01 TO 12-31	0.02 CFS
		0.30 AFY
Domestic	01-01 TO 12-31	0.04 CFS
		1.20 AFY

Domestic use is for 1 home, and up to 1/2 acre irrigation for lawn/garden.

PLACE OF USE:

Stockwater		Within Latah County
T38N R01W S09	NENE	
Domestic		Within Latah County
T38N R01W S09	NENE	

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.

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