2009 JUN 15 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 02-10237

NAME AND ADDRESS: DONALD L SCHIERMEIER
KRISTINE S SCHIERMEIER
29393 DAVIS RD
BRUNEAU, ID 83604

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 17.20 CFS
4300.00 AFY

PRIORITY DATE: 02/03/1971

POINT OF DIVERSION: T06S R05E S08 SWSW Within Owyhee County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	03-01 TO 10-15	17.20 CFS 4300.00 AFY

The use of water for irrigation under this right may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: Irrigation — Within Owyhee County

T06S R05E S29	SWNW 12.0		NWSW 42.0	
	SWSW 42.0			
S30	NWNE 11.0		SWNE 41.0	
	SENE 30.0	LOT 4	(SWSW) 23.0	
	SESW 42.0		NESE 41.0	
	NWSE 41.0		SWSE 41.0	
	SESE 41.0			
S31	NENE 41.0		NWNE 41.0	
	SWNE 41.0		SENE 41.0	
	NENW 41.0		SENW 41.0	
LOT 3	(NWSW) 37.0	LOT 4	(SWSW) 22.0	
	NESE 42.0		NWSE 41.0	
	SWSE 37.0		SESE 28.0	

860.0 Acres Total

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.

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