

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 63-09917

NAME AND ADDRESS: DAN SURMEIER  
JUDY SURMEIER  
4990 US 95  
FRUITLAND, ID 83619

SOURCE: GROUND WATER

QUANTITY: 0.39 CFS  
117.00 AFY

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

PRIORITY DATE: 06/22/1982

POINT OF DIVERSION: T07N R05W S22 NWNW Within Payette County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY   |
|-------------------------------|----------------|----------------|------------|
|                               | Irrigation     | 03-15 TO 11-15 | 0.39 CFS   |
|                               |                |                | 117.00 AFY |
|                               | Domestic       | 01-01 TO 12-31 | 0.04 CFS   |

The use of water for irrigation under this right may begin as  
early as March 1 provided other elements of the right are not  
exceeded. The use of water before March 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.  
Domestic use is for 1 home.

PLACE OF USE: Irrigation Within Payette County  
T07N R05W S22 NWNW 26.0  
26.0 Acres Total  
Domestic Within Payette County  
Same as Irrigation

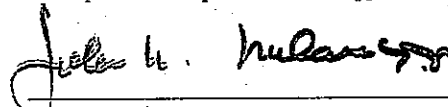
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right for domestic  
use 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