

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 75-04145

NAME AND ADDRESS: MERRIDEE S OVERACKER  
1510 HWY 93 N  
SALMON, ID 83467

PERNE A OVERACKER  
158 HIGHWAY 93 N  
SALMON, ID 83467-5301

MICHAEL J OVERACKER  
162 HIGHWAY 93 N  
SALMON, ID 83467-5301

SOURCE: BOB MOORE CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 6.20 CFS

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

PRIORITY DATE: 07/27/1896

POINT OF DIVERSION: T22N R21E S25 NESE Within Lemhi County  
NESE

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Irrigation     | 04-01 TO 11-01 | 6.00 CFS |
|                               | Stockwater     | 01-01 TO 12-31 | 0.20 CFS |

| PLACE OF USE: | Irrigation        | Within Lemhi County         |
|---------------|-------------------|-----------------------------|
|               | T22N R21E S25     | SESW 7.0 NESE 7.0           |
|               |                   | SWSE 27.0 SESE 38.0         |
|               | R22E S30          | NWNE 32.0 SWNE 39.0         |
|               |                   | NENW 31.0 LOT 2 (SNNW) 24.0 |
|               |                   | SESW 39.0 NESW 40.0         |
|               | LOT 3             | (NNSW) 33.0 NWSE 38.0       |
|               | 355.0 Acres Total |                             |

|                    |                     |
|--------------------|---------------------|
| Stockwater         | Within Lemhi County |
| Same as Irrigation |                     |

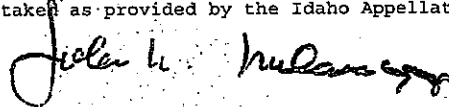
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right for  
stockwater 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