

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 57-10218

1997 DEC 15 PM 3:11

DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO

FILED \_\_\_\_\_

NAME & ADDRESS: EARLE G FOOTE  
PATRICIA B FOOTE  
HC 79 BOX 52  
MELBA ID 83641

SOURCE: GROUNDWATER

QUANTITY: 0.09 CFS

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

PRIORITY DATE: 12/20/1939

POINT OF DIVERSION: T01S R02W S07 NENENW Within Owyhee County

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE  | PERIOD OF USE | QUANTITY |
|----------------------------|-----------------|---------------|----------|
|                            | STOCKWATER      | 01-01 12-31   | 0.05 CFS |
|                            | DOMESTIC 1 HOME | 01-01 12-31   | 0.04 CFS |

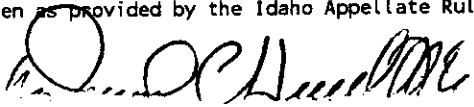
|               |               |                      |
|---------------|---------------|----------------------|
| PLACE OF USE: | STOCKWATER    | Within Owyhee County |
|               | T01S R02W S07 | NENW                 |
|               | DOMESTIC      | Within Owyhee County |
|               | T01S R02W S07 | NENW                 |

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

MICROFILMED  
OCT 07 1998