

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 65-04975

NAME AND ADDRESS: EARLENE MAKI  
JACOB A MAKI  
PO BOX 686  
LAKE FORK, ID 83635

SOURCE: UNNAMED STREAM TRIBUTARY: MUD CREEK

QUANTITY: 1.61 CFS  
1.40 AFY

THIS RIGHT WHEN COMBINED WITH RIGHT NOS. 65-03682 & 65-03683  
SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.

PRIORITY DATE: 04/04/1952

POINT OF DIVERSION: T17N R03E S09 NESE Within Valley County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Irrigation     | 04-15 TO 10-15 | 1.58 CFS |
|                               | Stockwater     | 01-01 TO 12-31 | 0.03 CFS |
|                               |                |                | 1.40 AFY |

PLACE OF USE: Irrigation Within Valley County  
T17N R03E S09 SESW 13.0 NESE 33.0  
NWSE 20.0 SWSE 3.0  
SESE 10.0  
79.0 Acres Total

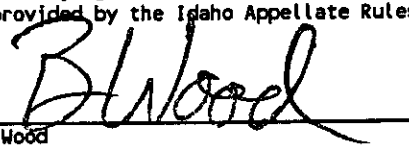
Stockwater Within Valley County  
Same as Irrigation

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.

  
Barry Wood  
Administrative District Judge  
Presiding Judge of the  
Snake River Basin Adjudication