

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                            )  
\_\_\_\_\_)                                         Water Right 65-06723

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR

NAME AND ADDRESS:       CHARLES C HERETH  
                              ROSINA C HERETH  
                              3333 W CENTRAL RD  
                              EMMETT, ID 83617

SOURCE:                   WASTE WATER                   TRIBUTARY: PAYETTE RIVER

QUANTITY:                 0.97 CFS  
                              1.40 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE  
SHALL NOT EXCEED 13,000 GALLONS PER DAY.  
THIS RIGHT WHEN COMBINED WITH RIGHTS 65-2437 & 65-6722 SHALL  
PROVIDE NO MORE THAN .02 CFS PER ACRE.

PRIORITY DATE:           04/01/1960

POINT OF DIVERSION:      T06N R02W S05 LOT 2   (NWNE )       Within Gem County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Irrigation     | 03-15 TO 11-15 | 0.94 CFS |
|                               | Stockwater     | 01-01 TO 12-31 | 0.03 CFS |
|                               |                |                | 1.40 AFY |

PLACE OF USE:           Irrigation                               Within Gem County  
                              T06N R02W S06 LOT 1   (NENE)27.0   LOT 7   (SENE)20.0  
                              47.0 Acres Total

Stockwater                               Within Gem County  
Same as Irrigation

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO  
THE IRRIGATION OF A COMBINED TOTAL OF 47.0 ACRES IN A SINGLE  
IRRIGATION SEASON. COMBINED RIGHT NOS.: 65-2437 & 65-6722.

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.



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Roger Burdick  
Presiding Judge of the  
Snake River Basin Adjudication