

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 65-02565

NAME AND ADDRESS: DALTON J SURMEIER
DONNA J SURMEIER
1610 SW 2ND AVE
FRUITLAND, ID 83619

SOURCE: LITTLE WHITLEY GULCH CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.60 CFS

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

THE APPROPRIATOR IS ENTITLED TO THE QUANTITY OF WATER
DESCRIBED FOR STOCK WATER PURPOSES AT A POINT OF MEASUREMENT
WHERE THE DELIVERY DITCH ENTERS THE PLACE OF USE DESCRIBED.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.9 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 886.5 AF AT FIELD HEADGATE COMBINED
RIGHT NOS.: 65-07031, 65-07609.

PRIORITY DATE: 04/21/1952

POINT OF DIVERSION: T07N R05W S10 NENW Within Payette County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.02 CFS
	Irrigation	03-15 TO 11-15	0.60 CFS

PLACE OF USE:	Irrigation	Within Payette County
	T07N R05W S10	NENE 24.0 NWNE 31.0 SWNE 32.0 NENW 27.0 NWNW 14.0 SWNW 37.0 SENE 32.0

197.0 Acres Total

Stockwater	Within Payette County
Same as Irrigation	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 27 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 197 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 65-05893, 65-07031,
65-07609.

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.

Roger Burdick

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication