

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 65-01365A

NAME AND ADDRESS: DAVID A HOWE  
KRISTINE L HOWE  
1568 N PLAZA RD  
EMMETT, ID 83617

SOURCE: GROUND WATER

QUANTITY: 0.04 CFS  
6.60 AFY

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

PRIORITY DATE: 02/24/1951

POINT OF DIVERSION: T06N R01W S03 LOT 4 (NWNW ) Within Gem County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Domestic       | 01-01 TO 12-31 | 0.04 CFS |
|                               |                |                | 1.20 AFY |
|                               | Commercial     | 01-01 TO 12-31 | 0.03 CFS |
|                               |                |                | 5.40 AFY |

PLACE OF USE: Domestic Within Gem County  
T06N R01W S03 LOT 4 (NWNW)

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR  
DOMESTIC 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