

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  
I.R.C.P. 54(b) FOR  
Water Right 36-12098

1996 NOV 22 AM 10:03  
DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO

FILED \_\_\_\_\_

NAME & ADDRESS: DONALD L KESTER  
OLLIE BELLE KESTER  
723 3RD ST S  
RUPERT ID 83350

SOURCE: GROUNDWATER

QUANTITY: 0.09 CFS

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

PRIORITY DATE: 07/09/1940

POINT OF DIVERSION: T09S R24E S04 NENWNE Within MINIDOKA County

| PURPOSE AND<br>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 MINIDOKA County  
T09S R24E S04 NENE

DOMESTIC Within MINIDOKA County  
T09S R24E S04 NENE

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.

DATED: NOV 22 1996



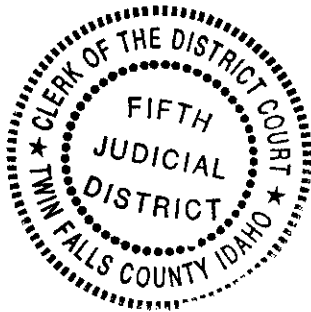
DANIEL C. HURLBUTT  
PRESIDING JUDGE  
Snake River Basin Adjudication

RULE 54(b) CERTIFICATE

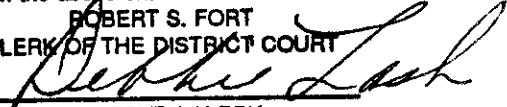
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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.

DATED: NOV 22 1998

  
DANIEL C. HURLBUTT  
PRESIDING JUDGE  
Snake River Basin Adjudication



State of Idaho  
County of Twin Falls ss.  
I hereby certify the foregoing to be a full,  
true and correct copy of the original on  
file in the above entitled action.

ROBERT S. FORT  
CLERK OF THE DISTRICT COURT  
By   
DEPUTY CLERK