

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 TO  
I.R.C.P. 54(b) FOR  
Water Right 35-08856

NAME AND ADDRESS: EDWARD P WAGNER JR  
KRISTIE L WAGNER  
331 N 55TH W  
IDAHO FALLS, ID 83402

SOURCE: GROUNDWATER

QUANTITY: 0.10 CFS  
4.90 AFY

PRIORITY DATE: 08/11/1989

POINT OF DIVERSION: T02N R37E S18 NESESE Within Bonneville County

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE   | PERIOD OF USE  | QUANTITY |
|----------------------------|------------------|----------------|----------|
|                            | Stockwater       | 01-01 TO 12-31 | 0.02 CFS |
|                            |                  |                | 0.10 AFY |
|                            | Domestic 4 HOMES | 01-01 TO 12-31 | 0.10 CFS |
|                            |                  |                | 4.80 AFY |

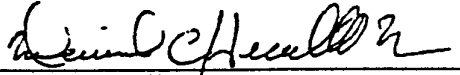
|               |               |      |                          |
|---------------|---------------|------|--------------------------|
| PLACE OF USE: | Stockwater    |      | Within Bonneville County |
|               | T02N R37E S18 | SESE |                          |
|               | Domestic      |      | Within Bonneville County |
|               | T02N R37E S18 | SESE |                          |

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.

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.

  
Daniel C. Hurlbutt, JR.  
Presiding Judge  
Snake River Basin Adjudication