

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 34-10381

1997 DEC 16 AM 11:14  
DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO

FILED \_\_\_\_\_

NAME & ADDRESS: MICHAEL A MORRISSEY  
CYNTHIA D MORRISSEY  
RT 1 BOX 266  
ARCO ID 83213

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS  
0.9 AFY

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

PRIORITY DATE: 12/31/1958

POINT OF DIVERSION: T04N R26E S36 SWSWSE Within BUTTE County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE                  | PERIOD OF USE | QUANTITY |
|-------------------------------|---------------------------------|---------------|----------|
|                               | COMMERCIAL                      | 01-01 12-31   | 0.02 CFS |
|                               | DOMESTIC 1 HOME                 | 01-01 12-31   | 0.9 AFY  |
|                               | COMMERCIAL, 1 CONVENIENCE STORE |               | 0.02 CFS |

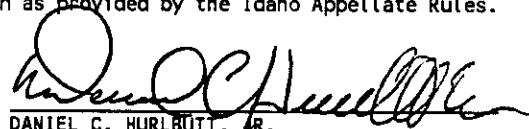
|               |               |                     |
|---------------|---------------|---------------------|
| PLACE OF USE: | COMMERCIAL    | Within BUTTE County |
|               | T04N R26E S36 | SWSE                |
|               | DOMESTIC      | Within BUTTE County |
|               | T04N R26E S36 | SWSE                |

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.

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