IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF TWIN STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

PARTIAL DECREE PURSUANT TO

I.R.C.P. 54(b) FOR

Water Right 95-17366

Deputy Clerk

Deputy Clerk

NAME AND ADDRESS:

ROGER RUDD

12255 N CLAUSON TRL RATHDRUM, ID 83858

SOURCE:

GROUND WATER

QUANTITY:

0.04 CFS

The quantity of water under this right shall not exceed 13,000

gallons per day.

PRIORITY DATE:

10/01/1979

POINT OF DIVERSION:

T51N R05W S09

SENE

Within Kootenai County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

Domestic

01-01 TO 12-31

0.04 CFS

Domestic use is for 1 home.

PLACE OF USE:

Domestic

Within Kootenai County

T51N R05W S09

R05W S09 SENE

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.

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 Idano appellate Rules.

Eric J. Wilaman

Presiding Judge of the

Coeur d'Alene-Spokane River Adjudication