

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

In Re CFPRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 69576)
)
) Water Right 97-07441

NAME AND ADDRESS: MARY DRISCOLL
ROBERT WALLY DRISCOLL
2316 TOUR EIFFEL DR
TALLAHASSEE, FL 32308

DRISCOLL FAMILY TRUST
2316 TOUR EIFFEL DR
TALLAHASSEE, FL 32308-5932

SOURCE: PRIEST LAKE TRIBUTARY: PRIEST RIVER

QUANTITY: 0.03 CFS

Water shall not be diverted under this right when the level in
Priest Lake cannot be maintained as defined in Idaho State
Statute Title 70 Chapter 507.

PRIORITY DATE: 10/08/2004

POINT OF DIVERSION: T60N R05W S12 SENE Within Bonner County
SENE

This right does not grant any right-of-way or easement across
the land of another.
A fish screen of 1/4 inch or smaller mesh shall be installed and
maintained at the point of diversion.

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.03 CFS
	Domestic	01-01 TO 12-31	0.03 CFS
			0.10 AFY
	Fire Protection	01-01 TO 12-31	0.03 CFS

Water shall not be diverted for fire protection use under this
right except to fight or repel an existing fire.
Domestic use is for 1 RV. Irrigation of lawn, garden and
landscaping associated with the home is authorized under the
irrigation component of this right.

PLACE OF USE:		
Irrigation		Within Bonner County
T60N R05W S12 LOT 1 (NENE) 1.0		SENE 0.4
1.4 Acres Total		
Domestic		Within Bonner County
T60N R05W S12 LOT 1 (NENE)		
Fire Protection		Within Bonner County
T60N R05W S12 LOT 1 (NENE)		SENE

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

Water shall not be diverted under this right when flows in the
Priest River are below minimum flow amounts as defined by Right
97-7380. The right holder shall be responsible for monitoring
the daily flow of the Priest River using real-time data and
shall cease diverting water when flows in the Priest River are
below established minimum flow amounts. Unless otherwise

OTHER PROVISIONS (continued)

specified by the Director of the Department of Water Resources, data from the U.S. Geological Survey Priest River Gauging Station, No. 12395000, may be used for purposes of determining the daily flow amounts.

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.



Eric J. Wildman
Presiding Judge of the
Clark Fork and Oreille River Adjud