

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)
_____) Water Right 36-15491

NAME AND ADDRESS: CITY OF RUPERT
 PO BOX 426
 RUPERT, ID 83350-0001

SOURCE: GROUND WATER

QUANTITY: 6.00 CFS

PRIORITY DATE: 12/31/1934

POINT OF DIVERSION: T09S R24E S20 SENWNE Within Minidoka County
 SESWNE
 SESENE
 NESESW
 SWSESW
 SESESW
 NESESW
 SNNWSE
 SENWSE
 SESWSE
 NESESE
 SWSE
 S21 SWSWNW
 SESENW
 S28 SNNWNW
 SWSWNW
 S29 NENENE
 NWNENE
 SENESE
 NWSWNE
 SWSWNE
 SWSENE
 NENENW
 SNNENW
 NWSENW
 NENESE
 NENWSE
 SNNWSE
 SENWSE
 SENWSE
 SENWSE
 NWESESE
 SESESE
 NWNE
 SWNE

TWO POINTS OF DIVERSION LOCATED IN T09S, R24E, S20, NESESW.THREE
POINTS OF DIVERSION LOCATED IN T09S, R24E, S29, SENWSE.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Municipal	04-01 TO 10-31	6.00 CFS

PLACE OF USE:

PLACE OF USE IS WITHIN SERVICE AREA OF THE CITY OF RUPERT
MUNICIPAL WATER SUPPLY SYSTEM AS PROVIDED FOR UNDER IDAHO LAW.

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

THE RIGHT HOLDER SHALL USE THE AVAILABLE ALLOTMENT OF APPURTENANT SURFACE WATER RIGHTS IN CONJUNCTION WITH GROUNDWATER DIVERTED UNDER THIS RIGHT.

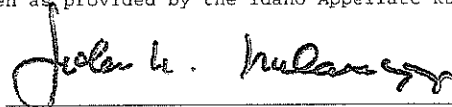
THIS RIGHT SHALL NOT BE USED IF THE SURFACE WATER RIGHTS APPURTENANT TO THE PLACE OF USE ARE SOLD, TRANSFERRED, LEASED OR USED ON ANY OTHER PLACE OF USE DUE TO THE VOLUNTARY ACTIONS OF THE CITY OF RUPERT.

THE RIGHT HOLDER SHALL PROVIDE A MEANS OF MEASUREMENT ACCEPTABLE TO THE IDAHO DEPARTMENT OF WATER RESOURCES FROM ALL AUTHORIZED POINTS OF DIVERSION WHICH WILL ALLOW DETERMINATION OF THE TOTAL RATE OF DIVERSION.

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.



John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication