

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 37-07916

NAME AND ADDRESS: KOYLE HYDRO INC
 1774 S 1500 E
 GOODING, ID 83330

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER
 LITTLE WOOD RIVER TRIBUTARY: MALAD RIVER

Point of injection into and point of redirection from the Big
Wood River.
Bypass flows in the Big Wood River and Little Wood River must be
maintained at sufficient levels to ensure protection of fish,
wildlife, aquatic and riparian values.

QUANTITY: 280.00 CFS
 116179.50 AFY

Any loss of water to the Big Wood River or the Little Wood River
resulting from conveyance and use pursuant to this right shall
be mitigated with replacement water.

PRIORITY DATE: 06/15/1981

The water right confirmed in this partial decree for hydropower
purposes shall be junior and subordinate to all rights to the
use of water, other than hydropower, within the State of Idaho
that are initiated later in time than the priority of this right
and shall not give rise to any right or claim against any future
rights to the use of water, other than hydropower, within the
State of Idaho initiated later in time than the priority of this
right.

POINT OF DIVERSION: T05S R14E S28 SWSWSE Within Gooding County
 SWSWSE (Rediversion)
 R15E S31 LOT 2 (NESWNW) (Injection)
 T06S R15E S06 NWSWNE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Power	01-01 TO 12-31	280.00 CFS
			116179.50 AFY

PLACE OF USE: Power Within Gooding County
 T05S R14E S33 NESE

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

The diversion and use of water under this right is subject to
review by the Director 25 years from the date of issuance of
License 37-7916. (License 37-7916 was issued November 10,
1992.) Upon appropriate findings relative to the interest of
the public, the Director may cancel all or any part of the use
authorized herein and may revise, delete or add conditions under
which this right may be exercised.
Use of water under this right shall not cause fluctuation in the
flows of the Malad River which impairs the ability of prior
right holders to divert their water.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT

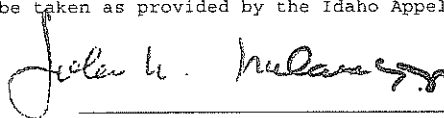
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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