

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 77-04086

NAME AND ADDRESS: FLYING RESORT RANCHES INC
 9 HAMNER DR
 SALMON, ID 83467

SOURCE: BRUSH CREEK TRIBUTARY: MIDDLE FORK SALMON RIVER

QUANTITY: 5.90 CFS

The quantity of water under this right for domestic use shall
not exceed 13,000 gallons per day.

PRIORITY DATE: 06/30/1958

The appropriator shall exercise this right in a manner that
recognizes the historic practice that the use of water for power
generation is incidental to the rights of others to the use of
water for other purposes. The appropriator shall not make a
delivery call for hydropower generation except as against junior
hydropower rights.

POINT OF DIVERSION: T19N R14E S28 SWNE Within Valley County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.00 CFS
	Power	01-01 TO 12-31	5.90 CFS
	Domestic	01-01 TO 12-31	0.08 CFS

PLACE OF USE:	Irrigation			Within Valley County
	T19N R14E S22	NESW 6.0		NWSE 6.0
		SWSE 12.0		
	S27	NWNE 5.0		SENE 4.0
		NESW 13.0		SESE 4.0
	50.0 Acres Total			

Power		Within Valley County
T19N R14E S27	NESW	

Domestic		Within Valley County
T19N R14E S27	NESW	

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

Property is known as Homestead Entry Survey No. 424.
The quantity of water decreed for this water right for domestic
use 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 Idaho Appellate Rules.

A handwritten signature in dark ink, appearing to read "John M. Melanson", is written over a horizontal line.

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