

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 25-07597

NAME AND ADDRESS: STATE OF IDAHO
 IDAHO WATER RESOURCE BOARD
 322 E FRONT ST
 PO BOX 83720
 BOISE, ID 83720-0098

SOURCE: WILLOW CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 50.00 CFS

Upon further finding and order of the director that gauging
stations are required to maintain the approved minimum flows
under this right, such measuring devices shall be permanently
installed and maintained as specified by the director.

PRIORITY DATE: 06/24/1991

Use of water under this right shall recognize and allow the
continued beneficial diversion of water under any prior existing
water right established by diversion and application to
beneficial use or by an application, permit, or license on file
or issued by the director under the provisions of Chapter 2,
Title 42, Idaho Code, with a priority of water right date
earlier than the date of priority of this right.

POINT OF DIVERSION: T01N R40E S33 SENW (Instream Beginning Point) Within Bonneville County
 T02N R40E S27 NWSE (Instream Ending Point)

This minimum instream flow begins in SENW, Section 33, T01N,
R40E and ends at the back waters of Ririe Reservoir located in
NWSE, Section 27, T02N, R40E.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Minimum Stream Flow	12-01 TO 03-31	22.00 CFS
	Minimum Stream Flow	04-01 TO 05-31	50.00 CFS
	Minimum Stream Flow	06-01 TO 07-15	50.00 CFS
	Minimum Stream Flow	07-16 TO 09-30	22.00 CFS
	Minimum Stream Flow	10-01 TO 11-30	36.00 CFS

Use of water under this right shall be non-consumptive.

PLACE OF USE:

The minimum instream flow use is for the preservation of fish
and wildlife habitat, and to maintain streambank integrity at
the place of use between the points of diversion described
above.

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

The Idaho Water Resource Board, upon receiving a request, or
upon its own initiative, may petition the Director for an
amendment to this water right. The petition must set forth any
significant change in circumstances and evidence of the public
interest supporting the proposed amendment. The Director will
notify the general public and specific persons or notify
interested parties of the proposed change, and conduct a hearing
for the purpose of determining whether the water right should be

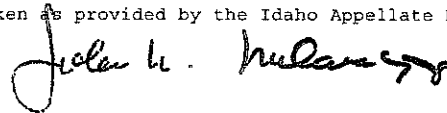
OTHER PROVISIONS (continued)

amended in the public interest. The burden of proof at the hearing shall be upon the person or parties seeking the amendment to establish that the amendment of this water right would be in the public interest.

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