

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 82-07137

NAME AND ADDRESS: JOE SWISHER
 304 GARRETT
 COTTONWOOD, ID 83522

SOURCE: UNNAMED STREAM TRIBUTARY: FIVEMILE CREEK

QUANTITY: 0.20 CFS
 34.20 AFY

PRIORITY DATE: 10/13/1983

POINT OF DIVERSION: T28N R07E S27 NWSE Within Idaho County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Mining	01-01 TO 12-31	0.20 CFS
			33.20 AFY
	Mining Storage	01-01 TO 12-31	1.00 AFY
	Mining from Storage	01-01 TO 12-31	1.00 AFY

PLACE OF USE: Mining Within Idaho County
 T28N R07E S27 NWSE

 Mining from Storage Within Idaho County
 Same as Mining

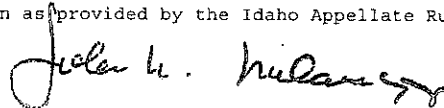
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

WHEN WATER USED UNDER THIS RIGHT IS DISCHARGED INTO THE NATURAL
CHANNEL, SETTLING PONDS MUST BE MAINTAINED WHICH ARE CAPABLE OF
REDUCING THE SILT LOAD TO SUCH A LEVEL THAT THE QUALITY WILL NOT
BE IMPAIRED FOR OTHER BENEFICIAL USES.

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