2005 JUN 22 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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	)	PARTIAL DECREE PURSUANT TO
	)	I.R.C.P. 54(b) FOR
Case No. 39576	)	
	)	Water Right 82-07016

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

SOURCE: FOURMILE CREEK TRIBUTARY: SOUTH FORK CLEARWATER RIVER

QUANTITY: 0.03 CFS
2.40 AFY

PRIORITY DATE: 03/12/1973

POINT OF DIVERSION: T28N R07E S16 SENW Within Idaho County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Mining	01-01 TO 12-31	0.03 CFS
		2.40 AFY

PLACE OF USE: Mining Within Idaho County
T28N R07E S16 SENW

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