

PAGE 1
May-17-2005

PLACE OF USE (continued)

	LOT 9 (SENW)	LOT 10 (NWSW)
S05	LOT 6 (NESW)	LOT 11 (NESW)
	LOT 12 (NWSW)	LOT 8 (NESE)
	LOT 9 (NESE)	LOT 7 (NWSE)
	LOT 10 (NWSE)	
S06	LOT 7 (SWNE)	LOT 8 (SENE)
	LOT 6 (SENW)	LOT 11 (NESW)
	LOT 12 (NWSW)	LOT 9 (NESE)
	LOT 10 (NWSE)	
S11	LOT 1 (NENE)	LOT 2 (SENE)
S12	LOT 4 (NWSW)	LOT 6 (SWSW)
	LOT 5 (SESE)	
S13	NWNE	NENW
	NWNW	
R06E S01	LOT 5 (SWSW)	LOT 6 (SESW)
	LOT 7 (SWSE)	
S02	LOT 10 (SWSW)	LOT 11 (SWSW)
	LOT 6 (NESE)	LOT 5 (NWSE)
	LOT 8 (SWSE)	
S03	LOT 6 (NESW)	LOT 5 (NWSW)
	LOT 12 (NWSW)	NESE
	LOT 7 (NWSE)	LOT 8 (SESE)
S04	LOT 6 (SWNE)	LOT 7 (SENE)
	LOT 3 (NENW)	LOT 4 (NWNW)
	LOT 9 (NWSE)	
S05	LOT 1 (NENE)	LOT 2 (NWNE)
	LOT 6 (SWNE)	LOT 3 (NENW)
	LOT 5 (SENW)	LOT 7 (NESW)
	LOT 8 (NWSW)	LOT 9 (SWSW)
	LOT 10 (SESW)	
S06	LOT 9 (SESE)	LOT 10 (SESE)
S07	LOT 1 (NWNE)	LOT 5 (SENW)
	LOT 6 (NWSW)	
S12	LOT 1 (NENE)	LOT 2 (NWNE)
R07E S04	LOT 8 (NWSW)	
S05	LOT 6 (SESE)	
S06	LOT 8 (SESW)	LOT 10 (SESW)
	LOT 9 (SWSE)	
S07	LOT 1 (NENE)	LOT 2 (NENE)
S08	LOT 1 (NWNE)	LOT 2 (NENW)
	LOT 3 (NWNW)	
T33N R04E S34	LOT 2 (SESE)	
S35	LOT 7 (SWSW)	
S36	LOT 1 (SWSW)	

The place of use of the minimum stream flow is within the reach between the points of diversion described above.

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

Specifically, because of the generalization inherent within the application of the Tennant method, the director retains jurisdiction, as described herein, to review and amend any and all parameters of this right. The Board, upon receiving a request, or upon its own initiative, may petition the director for an amendment to the 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 known interested parties of the proposed change, and conduct a hearing for the purpose of determining whether the right should be amended in the public interest. The burden of proof at the hearing shall be upon the persons or parties seeking the amendment to establish that the amendment of the right would be

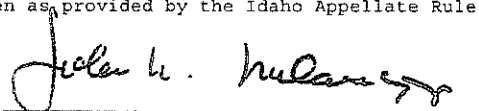
OTHER PROVISIONS (continued)

in the public interest. An amendment cannot increase the flow rate.

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