

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 29-04059

NAME AND ADDRESS: CITY OF DOWNEY
 PO BOX 204
 DOWNEY, ID 83234-0204

SOURCE: SPRINGS TRIBUTARY: NINEMILE CREEK

QUANTITY: 2.00 CFS

PRIORITY DATE: 08/02/1907

POINT OF DIVERSION: 111S R37E S09 SESW Within Bannock County
 R38E S05 SESE
 S08 NWNENE
 NESWNE
 SESWNE
 NENWSE
 SWNWSE
 SESESE
 S09 SWSWSW
 SESWSW
 NWSESW

TWO POINTS OF DIVERSION LOCATED IN 111S, R38E, S9, NWSESW
THREE POINTS OF DIVERSION LOCATED IN 111S, R38E, S8, NENWSE.
FOUR POINTS OF DIVERSION LOCATED IN 111S, R38E, S8, SWNWSE.

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
 Municipal 01-01 TO 12-31 2.00 CFS

PLACE OF USE: Municipal Within Bannock County
 111S R37E S27 SWNE SWNW
 SENW NESW
 NWSW SWSW
 SESW NWSE
 SWSE
 S28 NESE SESE
 S34 NWNENE SWNE
 SENE NENW
 NWNW SWNW
 SENW NESW
 NWSW NESE
 NWSE

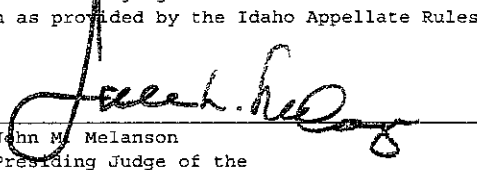
Place of use is within the service area of the City of Downey
municipal water supply system as provided for under Idaho Law.

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

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