

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 55-02134

NAME AND ADDRESS: KINROSS DELAMAR MINING COMPANY
PO BOX 52
JORDAN VALLEY, OR 97910

SOURCE: JORDAN CREEK TRIBUTARY: OWYHEE RIVER
QUANTITY: 0.41 CFS
296.80 AFY

USE OF THIS RIGHT WITH RIGHT NO. 55-07078 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.52 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 1100.4 AF.

PRIORITY DATE: 03/16/1938

POINT OF DIVERSION: T05S R04W S06 LOT 02 (NWNE) Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Mining	01-01 TO 12-31	0.41 CFS 296.80 AFY
	Domestic	01-01 TO 12-31	0.02 CFS 0.60 AFY

PLACE OF USE:	Mining		Within Owyhee County
	T05S R04W S08	NENE	SWNE
		SENE	
	R05W S11	NESE	SWSE
		SESE	
	S12	NESW	NWSW
		SWSW	SESW
	S13	NENW	NWNW
		SWNW	SENW
		NWSW	
	S14	NENE	NWNE
		SWNE	SENE
		SESW	NESE
		NWSE	SWSE
		SESE	
	S23	NENW	
	Domestic		
	T05S R04W S08	NENE	Within Owyhee County

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

THIS RIGHT IS CONSIDERED TO BE WHOLLY CONSUMPTIVE.
AFTER SPECIFIC NOTIFICATION BY IDWR, THE RIGHT HOLDER SHALL
MEASURE THE DIVERSION OR SHALL ENTER INTO AN AGREEMENT WITH IDWR
TO DETERMINE THE AMOUNT OF WATER DIVERTED FROM POWER RECORDS AND
SHALL ANNUALLY REPORT THE INFORMATION TO IDWR.
UPON RECEIVING A PETITION FOR DELIVERY CALL ON JORDAN CREEK
AND A DETERMINATION BY IDWR THAT THE PRIOR WATER RIGHTS ARE NOT
BEING SATISFIED, THE RIGHT HOLDER MUST CEASE DIVERTING WATER FROM
JORDAN CREEK WHEN IT IS NOT AVAILABLE OR MUST FULLY MITIGATE FOR
DEPLECTIONS IN THE FLOW OF JORDAN CREEK CAUSED BY THE DIVERSION.

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.

A handwritten signature in black ink, appearing to read "B Wood", is written over a horizontal line.

Barry Wood
Administrative District Judge
Interim Presiding Judge of the
Snake River Basin Adjudication