

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 36-08058

RECEIVED
JUN 17 2002
Department of Water Resources
2002 JUN 14 4:34
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

NAME AND ADDRESS: MICHAEL G BRANCHFLOWER
KATHERINE L BRANCHFLOWER
PO BOX 575
HAGERMAN, ID 83332-0575

SOURCE: BILLINGSLEY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 97.00 CFS
70200.00 AFY

PRIORITY DATE: 02/03/1982

POINT OF DIVERSION: T07S R13E S11 SESENE Within Gooding County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Power	01-01 TO 12-31	97.00 CFS
			70200.00 AFY

PLACE OF USE: Power Within Gooding County
T07S R13E S11 SENE

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

THIS RIGHT SHALL BE JUNIOR AND SUBORDINATE TO ALL RIGHTS FOR THE USE OF WATER, OTHER THAN HYDROPOWER, WITHIN THE STATE OF IDAHO THAT ARE INITIATED LATER IN TIME THAN THE PRIORITY DATE OF THIS RIGHT AND SHALL NOT GIVE RISE TO ANY RIGHT OR CLAIMS AGAINST ANY FUTURE RIGHTS FOR THE USE OF WATER, OTHER THAN HYDROPOWER, WITHIN THE STATE OF IDAHO INITIATED LATER IN TIME THAN THE PRIORITY DATE OF THIS RIGHT. THE RIGHT HOLDER SHALL ALLOW A BYPASS FLOW PAST THE DIVERSION STRUCTURE IN BILLINGSLEY CREEK ACCORDING TO THE SCHEDULE BELOW:

35 CFS FROM 1/1 THROUGH 9/30
70 CFS FROM 10/1 THROUGH 11/15
35 CFS FROM 11/16 THROUGH 12/31

THE DIVERSION AND USE OF WATER FOR HYDROPOWER PURPOSES UNDER THIS LICENSE IS SUBJECT TO REVIEW BY THE DIRECTOR ON OR AFTER MARCH 1, 2011. UPON APPROPRIATE FINDINGS RELATIVE TO THE INTEREST OF THE PUBLIC, THE DIRECTOR MAY CANCEL ALL OR ANY PART OF THE USE AUTHORIZED HEREIN AND MAY REVISE, DELETE OR ADD CONDITIONS UNDER WHICH THE RIGHT MAY BE EXERCISED.

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 36A.

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).

2002 JUN 14 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)
)
Case No. 39576)

)

CERTIFICATE OF MAILING

Water Right(s): 36-08058

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 36-08058 was mailed
on June 14, 2002, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

MICHAEL G BRANCHFLOWER
KATHERINE L BRANCHFLOWER
PO BOX 575
HAGERMAN, ID 83332-0575

ROBBIN GLATZ
Chief Deputy Clerk

CERTIFICATE OF MAILING

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06/14/02