

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 65-13060

NAME AND ADDRESS: IDAHO WATER RESOURCE BOARD
IDAHO WATER RESOURCE BOARD
STATEHOUSE
BOISE, ID 83720

SOURCE: PAYETTE RIVER, SOUTH FORK TRIBUTARY: PAYETTE RIVER
QUANTITY: 763.00 CFS

RATE OF DIVERSION IS MORE FULLY DESCRIBED AS 763 CFS MONDAY
THROUGH THURSDAY, AND 700 CFS FRIDAY THROUGH SUNDAY.

PRIORITY DATE: 05/16/1989

POINT OF DIVERSION: T09N R07E S31 NESE (Instream Ending Point) Within Boise County
 S32 SWNW (Instream Beginning Point)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Minimum Stream Flow	04-15 TO 08-31	763.00 CFS

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

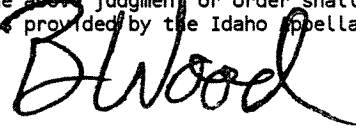
UPON A FUTURE FINDING AND ORDER OF THE DIRECTOR THAT GAUGING
STATIONS ARE REQUIRED TO MAINTAIN THE APPROVED MINIMUM FLOWS ON
THE SOUTH FORK OF THE PAYETTE RIVER, SUCH MEASURING DEVICES SHALL
BE PERMANENTLY INSTALLED AND MAINTAINED AS SPECIFIED BY THE
DIRECTOR.

THE DIRECTOR RETAINS JURISDICTION, AS DESCRIBED BELOW, 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 IN THE PUBLIC INTEREST.

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.

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

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

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DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

Department of Water Resources

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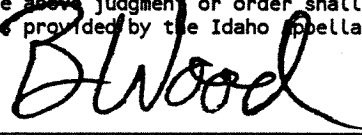
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