

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
Case No. 39576) I.R.C.P. 54(b) FOR
) Water Right 36-08097

1997 DEC 29 AM 9:53

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

NAME & ADDRESS: JOHN R LE MOYNE
MARGARET LE MOYNE
901A GRIDLEY ISLAND
HAGERMAN ID 83332

SOURCE: RILEY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 40.00 CFS

RIGHTS 36-00032, 36-07729 & 36-08097 ARE LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 40.12 CFS.

PRIORITY DATE: 07/13/1982

POINT OF DIVERSION: T08S R13E S01 LOT 6 (SESWNE) Within GOODING County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	POWER	01-01 12-31	40.00 CFS

PLACE OF USE: POWER Within GOODING County
T08S R13E S01 Lot 3 (SENW)

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

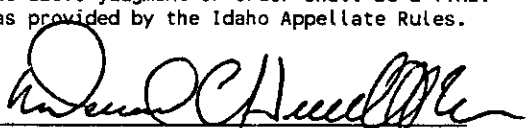
A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE
MAINTAINED AS A PART OF THE DIVERTING WORKS.

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 DIVERSION AND USE OF WATER UNDER THIS RIGHT IS SUBJECT TO
REVIEW BY THE DIRECTOR UPON EXPIRATION OF THE POWER PURCHASE
CONTRACT WITH IDAHO POWER CO. ON APPROXIMATELY 5/1/2020. 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.

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.


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-08097

PAGE 1
DEC-16-1997