

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 36-08019

1997 JUN 15 PM 3:44

NAME & ADDRESS: MARCO POWER CO INC
249 W 500 S
JEROME ID 83338

SOURCE: UNNAMED STREAM TRIBUTARY: SNAKE RIVER

QUANTITY: 15.00 CFS
19041.0 AFY

PRIORITY DATE: 11/12/1981

POINT OF DIVERSION: T09S R16E S15 SESENE Within JEROME County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	POWER	01-01 12-31	15.00 CFS 19041.0 AFY

PLACE OF USE: POWER Within JEROME County
T09S R16E S22 Lot 6 (NENE)

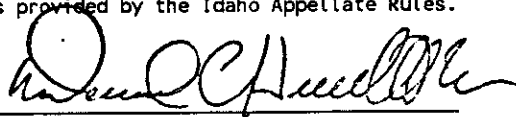
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 DIVERSION AND USE OF WATER UNDER THIS RIGHT IS SUBJECT TO REVIEW BY IDWR THIRTY-FIVE (35) YEARS FROM THE DATE OF ISSUANCE OF THE LICENSE UPON WHICH IT IS BASED. UPON APPROPRIATE FINDINGS RELATIVE TO THE INTEREST OF THE PUBLIC, IDWR 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