

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)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 36-07973

1997 DEC 29 AM 9:52

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS: RICHARD KASTER
RT 4
BUHL ID 83316

SOURCE: BRIGGS CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 70.00 CFS
50678.4 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 72.37 CFS.
OTHER RIGHT NOS.: 36-15180, 36-02039, 36-02607 AND 36-02040.
USE OF THIS RIGHT WITH RIGHT NOS. 36-02607 & 36-02040 IS LIMITED
TO A TOTAL COMBINED DIVERSION RATE OF 70.00 CFS.

PRIORITY DATE: 05/22/1981

POINT OF DIVERSION: T09S R14E S03 NWNWSW Within GOODING County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
POWER		01-01 12-31	70.00 CFS 50678.4 AFY

PLACE OF USE: POWER Within GOODING County
T09S R14E S04 Lot 12 (SWNE)

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

A MEASURING DEVICE AND LOCKABLE CONTROLLING WORKS OF A TYPE
ACCEPTABLE TO IDWR SHALL BE PERMANENTLY INSTALLED AND MAINTAINED
AS A PART OF THE DIVERTING WORKS.

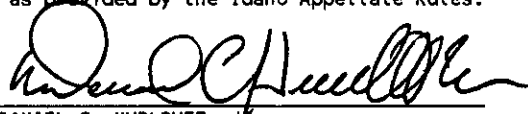
RETURN FLOW IF DISCHARGED TO A SURFACE WATER SYSTEM SHALL MEET
IDAHO WATER QUALITY STANDARDS.

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 ON OR AFTER DECEMBER 13, 2019. 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