

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

1997 DEC 29 AM 9:52

In Re SRBA )  
                  ) PARTIAL DECREE PURSUANT TO  
                  ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
                  ) Water Right 36-07841

DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO

FILED

NAME & ADDRESS: ROBERT E TUPPER  
FAYE L TUPPER  
RT 1 BOX 212  
HAGERMAN ID 83332

SOURCE: TUPPER SPRING TRIBUTARY: BILLINGSLEY CREEK

QUANTITY: 1.00 CFS  
FACILITY VOLUME 3840 CUBIC FEET.

PRIORITY DATE: 02/12/1979

POINT OF DIVERSION: T07S R14E S18 SWSESW Within GOODING County

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE   | PERIOD OF USE | QUANTITY |
|----------------------------|------------------|---------------|----------|
|                            | FISH PROPAGATION | 01-01 12-31   | 1.00 CFS |

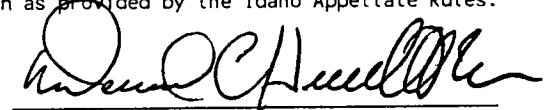
PLACE OF USE: FISH PROPAGATION Within GOODING County  
T07S R14E S18 Lot 4 (SWSW) SESW

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

MEASURING DEVICES OF A TYPE APPROVED BY IDWR SHALL BE  
MAINTAINED AT THE POINT OF DIVERSION AND POINT OF EFFLUENT  
DISCHARGE.

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