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 36-07164 |
| | ) | |

1997 DEC 30 AM 9:42
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

NAME & ADDRESS: US DEPT OF DEFENSE
DEPT OF ARMY
CORP OF ENGINEERS
WALLA WALLA DISTRICT
WALLA WALLA WA 99362-9265

SOURCE: CRYSTAL SPRINGS TRIBUTARY: SNAKE RIVER

QUANTITY: 6.49 CFS

USE OF THIS RIGHT WITH RIGHT NOS. 36-07033 AND 36-07653 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 68,097 AF.

PRIORITY DATE: 03/05/1971

POINT OF DIVERSION: T09S R15E S12 LOT 11 (NESWNW) Within GOODING County
LOT 12 (NWSENW)

PURPOSE AND PERIOD OF USE:

| PURPOSE OF USE | PERIOD OF USE | QUANTITY |
|---|---|---|
| FISH PROPAGATION | 01-01 04-30 | 6.49 CFS |
| FISH PROPAGATION | 07-01 12-31 | 6.49 CFS |

PLACE OF USE: FISH PROPAGATION Within GOODING County
T09S R15E S11 Lot 7 (SENE) NESE
S12 Lot 9 (SWNW) NWSW

FISH PROPAGATION
SAME AS OTHER USE

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

THE COMBINED FACILITY VOLUME OF INCUBATORS, NURSERY AND RACEWAYS FOR THIS RIGHT AND RIGHT NOS. 36-07033 AND 36-07653 SHALL NOT EXCEED 200,000 CUBIC FEET.

MEASURING DEVICES OF A TYPE APPROVED BY THE DEPT. AND CAPABLE OF MEASURING THE QUANTITY OF WATER DIVERTED FROM THE SPRINGS AND THE QUANTITY OF WATER RETURNED TO THE SNAKE RIVER SHALL BE PERMANENTLY MAINTAINED.

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