

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 32-11211

NAME AND ADDRESS: USDI BLM  
IDAHO STATE OFFICE  
1387 S VINNELL WAY  
BOISE, ID 83709-1657

SOURCE: SPRING TRIBUTARY: SINKS

QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000  
GALLONS PER DAY.

PRIORITY DATE: 06/28/1934

POINT OF DIVERSION: T11N R33E S31 NENENE Within Clark County

|                               |                              |                                 |                      |
|-------------------------------|------------------------------|---------------------------------|----------------------|
| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE<br>Stockwater | PERIOD OF USE<br>01-01 TO 12-31 | QUANTITY<br>0.02 CFS |
|-------------------------------|------------------------------|---------------------------------|----------------------|

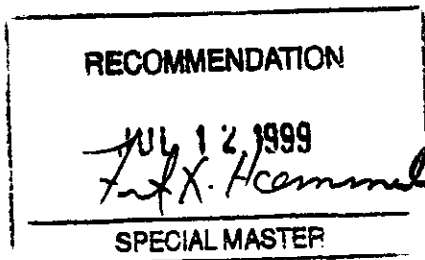
PLACE OF USE: Stockwater Within Clark County  
T11N R33E S31 NENE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A  
DETERMINATION OF HISTORICAL BENEFICIAL USE.

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.



Barry Wood  
Administrative District Judge  
Presiding Judge of the  
Snake River Basin Adjudication

1999 JUL 12 AM 10:32  
DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_

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 )

NOTICE OF ISSUANCE AND NOTICE  
OF SERVICE

Case No. 39576 )

Water Rights: See Attached Exhibit A

On July 12, 1999, Special Master Fritz X. Haemmerle issued a *Special Master's Report and Recommendation* for the above subcase(s) pursuant to *SRBA Administrative Order 1 (AO1)*, Section 13a.

Pursuant to *SRBA Administrative Order 1*, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend by the 28<sup>th</sup> day of the month following the publication of the filing of the *Special Master's Report and Recommendation* in the Docket Sheet (*AO1*, Section 13a).

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the *Special Master's Report and Recommendation* shall constitute a waiver of the right to challenge it before the Presiding Judge.

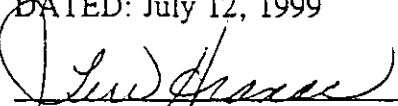
I certify that a true and correct copy of the SPECIAL MASTER'S RECOMMENDATION was mailed with sufficient first-class postage prepaid to the following:

Director of IDWR  
PO Box 83720  
Boise, ID 83720-0098

Peter Ampe  
Deputy Attorney General  
State of Idaho  
PO Box 44449  
Boise, ID 83711-4449

U.S. Dept. of Justice  
Environment & Natural Resources  
550 West Fort Street, MSC 033  
Boise, ID 83724

DATED: July 12, 1999

  
Teri Hranac, Deputy Clerk

1999 JUL 12 AM 10:32

DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_

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     | ) | SPECIAL MASTER'S REPORT             |
|                | ) |                                     |
| Case No. 39576 | ) | FINDINGS OF FACT AND                |
|                | ) | CONCLUSIONS OF LAW                  |
|                | ) |                                     |
|                | ) | FOR WATER RIGHTS: See Attached List |
| _____          | ) |                                     |

I. FINDINGS OF FACT

A notice of claim was filed for these water rights pursuant to I.C. § 42-1409 (1990). The Director of the State of Idaho Department of Water Resources examined the water system for this reporting area. The *Director's Report* contained a recommendation for the elements of these water rights.

The only objections to these water rights were filed by the State of Idaho which were resolved with a *Stipulation to Resolve Objections* filed July 1, 1999. The State of Idaho, the United States, and IDWR are signatories to the *Stipulation to Resolve Objections*. Both parties agreed that the priority date for these rights shall be June 28, 1934.

II. CONCLUSIONS OF LAW

Therefore, based on the file and record herein, IT IS RECOMMENDED that these water rights be decreed with the elements as set forth attached in the *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED: July 12, 1999.

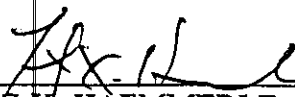
  
\_\_\_\_\_  
FRITZ K. HAEMMERLE  
Special Master  
Snake River Basin Adjudication

EXHIBIT A

Subcase Nos:

32-10360  
32-10369  
32-10370  
32-10371  
32-10372  
32-10373  
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32-11211