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FEB 26 1998

Department of Water Resources  
Adjudication Bureau

1998 FEB 24 AM 7: 52

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

) ORDER OF PARTIAL DECREE

Case No. 39576

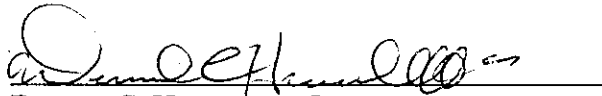
) For Water Right 34-02261

On October 6, 1997, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 34-02261 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED February 24, 1998.



DANIEL C. HURLBUTT, JR.

Presiding Judge

Snake River Basin Adjudication

ORDER OF PARTIAL DECREE

MAIL12782



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JUL 20 1998

Department of Water Resources  
Eastern Region

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

1998 FEB 24 AM 7:52  
DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_

In Re SRBA )  
                  ) PARTIAL DECREE PURSUANT TO  
                  ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
                  ) Water Right 34-02261

NAME & ADDRESS: JAMES C LAMBERT  
RT 1 BOX 20  
MACKAY ID 83251

SOURCE: SLAUGHTERHOUSE SPRINGS      TRIBUTARY: SINKS  
QUANTITY: 0.02 CFS  
           1.2 AFY

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

PRIORITY DATE: 05/17/1936

POINT OF DIVERSION: T06N R24E S11      NWNWSW      Within CUSTER County

|                               |                                   |                              |                                 |
|-------------------------------|-----------------------------------|------------------------------|---------------------------------|
| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE<br>DOMESTIC 1 HOME | PERIOD OF USE<br>01-01 12-31 | QUANTITY<br>0.02 CFS<br>1.2 AFY |
|-------------------------------|-----------------------------------|------------------------------|---------------------------------|

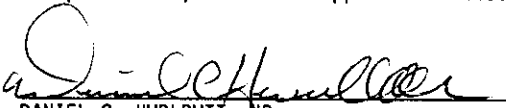
PLACE OF USE: DOMESTIC      Within CUSTER County  
                 T06N R24E S11      NWNE      SWNE

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.

  
DANIEL C. HURLBUTT, JR.  
PRESIDING JUDGE  
Snake River Basin Adjudication

1998 FEB 24 PM 02:00  
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     | ) | CERTIFICATE OF MAILING   |
|                | ) |                          |
| Case No. 39576 | ) |                          |
| _____          | ) | Water Right(s): 34-02261 |

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE  
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 34-02261 was mailed  
on February 24, 1998, with sufficient first-class postage prepaid  
to the following:

DIRECTOR OF IDWR  
PO BOX 83720  
BOISE, ID 83720-0098

STATE OF IDAHO  
Represented by:  
CLIVE STRONG  
OFFICE OF ATTORNEY GENERAL  
STATE OF IDAHO  
PO BOX 44449  
BOISE, ID 83711-4449  
Phone: 208-334-2400

USDI BLM  
Represented by:  
U.S. DEPT. OF JUSTICE  
ENVIRONMENT & NATL' RESOURCES  
550 WEST FORT STREET, MSC 033  
BOISE, ID 83724  
Phone: 208-387-0835

CERTIFICATE OF MAILING



RECEIVED  
OCT 08 1997

OFFICE OF THE  
ATTORNEY GENERAL

RECEIVED  
OCT 10 1997  
Dept. of Lands & Resources  
Twin Falls

1997 OCT -6 AM 9:50  
DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO

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

NOTICE OF ISSUANCE OF  
SPECIAL MASTER'S REPORT  
AND RECOMMENDATION

Water Right(s): 34-02261

On October 06, 1997, Special Master BRIGETTE BILYEU  
issued a SPECIAL MASTER'S REPORT AND RECOMMENDATION for the above  
subcase pursuant to SRBA Administrative Order 1 (AO1), Section 9.

Pursuant to SRBA Administrative Order 1, Section 14b, any party  
to the adjudication may file a Notice of Challenge to a SPECIAL MASTER'S  
REPORT AND RECOMMENDATION within 21 days following the date of  
publication of the filing of the Special Master's report in the Docket  
Sheet except parties to the subcase who failed to file a Motion to  
Alter or Amend before the Special Master (AO1, Section 9f).  
The Notice of Challenge shall appear on the Docket Sheet and shall be  
served on parties to the subcase(s) covered by the challenged report  
and the SRBA Court Reporter.

DATED October 06, 1997.

TERI HRANAC  
Deputy Clerk

water 1

Conclusi

Amend w

Th

right be de

Partial Decr

DATE

NOTICE OF ISSUANCE

BRIGETTE BILYEU  
Special Master  
Snake River Basin Adjudication

SPECIAL MASTER'S REPORT  
7/18/97

PAGE 1  
10/06/97

1997 OCT -6 AM 9: 50  
THE  
DISTRICT COURT - SRB/  
STWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_

FILED \_\_\_\_\_

## Page 1

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 )  
\_\_\_\_\_ )

SPECIAL MASTER'S RECOMMENDATION FOR

PARTIAL DECREE FOR

Water Right 34-02261

1997 OCT -6 AM 9:50

DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO

FILED \_\_\_\_\_

NAME & ADDRESS: JAMES C LAMBERT  
RT 1 BOX 20  
MACKAY ID 83251

SOURCE: SLAUGHTERHOUSE SPRINGS TRIBUTARY: SINKS

QUANTITY: 0.02 CFS  
1.2 AFY

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

PRIORITY DATE: 05/17/1936

POINT OF DIVERSION: T06N R24E S11 NWNWSW Within CUSTER County

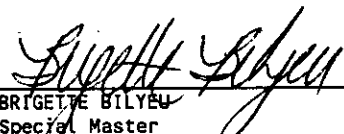
| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE  | PERIOD OF USE | QUANTITY            |
|-------------------------------|-----------------|---------------|---------------------|
|                               | DOMESTIC 1 HOME | 01-01 12-31   | 0.02 CFS<br>1.2 AFY |

PLACE OF USE: DOMESTIC Within CUSTER County  
T06N R24E S11 NWNE SWNE

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.

DATED: OCT 6 1997

  
BRIGETTE BILYEU  
Special Master  
Snake River Basin Adjudication

DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO

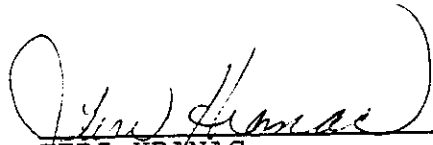
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In Re SRBA )  
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Case No. 39576 )  
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Water Right(s): 34-02261

PAGE 1  
10/06/97

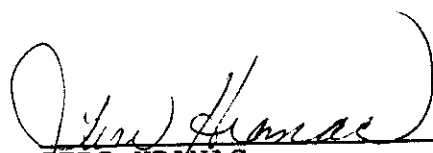
JAMES C. LAMBERT  
ROUTE 1, BOX 20  
MACKAY, ID 83251

  
TERI HRANAC  
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 2  
10/06/97

JAMES C. LAMBERT  
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MACKAY, ID 83251

  
TERI HRANAC  
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 2  
10/06/97