

PD

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

RECEIVED
JUN 22 1994

Ident. Number: A31-10196
Date Received: 6/28/1988
Receipt No: E019951
Received By: SL

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STANLEY SUTTON 208-356-3562
Address: 578 E 7000 S
REXBURG ID 83440
OR
Name: PAULINE SUTTON 208-356-3562
Address: 578 E 7000 S
REXBURG ID 83440

2. Date of Priority: FEB 28, 1910

3. Source: SPRINGS Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
12N	37E	16	NW	SE	NE		CLARK
			SW	NE	NW		CLARK

5. Description of diverting works:
FLOWING SPRINGS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	05/01	11/15	0.090		

7. Total Quantity Appropriated is:
0.090 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 350 RANGE CATTLE

A310196



MICROFILMED
NOV 14 1996

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13N	37E	16	SE	NE		STOCK	
			NE	NW		STOCK	

11. Place of use in counties: CLARK

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

STATE OF IDAHO, DEPARTMENT OF LANDS, OWNS THE PLACE OF USE.
CLAIMANT LEASES THE PLACE OF USE.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Stanley Sutton Date: 6-10-94

Date: _____

State of Idaho)
County of Madison) SS.

Subscribed and sworn (or affirmed) before me this 10th day
of June 19 94

Notary Public

Seal

Residing at 7875 59th 1800 W.
Refburg, Id. 8344010
My Commission Expires NOV 5/95

U S A

A31-10196

R37E

T12N

STATE

STAN

SUTTON

A122

T82



MICROFILM

NOV 14 1960

A31-00293

27 May 1994

STANLEY OR PAULINE SUTTON
578 E 7000 S
REXBURG, ID 83440

RE: Notice of Claim A31-10196

Dear Stanley & Pauline:

Enclosed for your review and signature is a notice of claim for stockwater on land leased from the Department of Lands. It reflects information electronically recorded when you filed your other notices in 1988.

Stanley delivered this notice to Lands in 1988 thinking that agency would pursue filing on use of the water. Subsequent to our telephone conversation Thursday, 26 May, I was informed Lands did not file this notice of claim. Since Lands has not filed, it is my understanding you want to file thereby ensuring consideration of the water right in the Snake River Basin Adjudication (SRBA).

Feel free to correct the information on the notice. I have deleted Lands as claimant. Otherwise the notice is identical to the original electronic record. When you are satisfied the notice accurately describes the water right, sign the form (the signature of one claimant is sufficient) in the presence of a notary, then return the notarized form to this office along with a check for \$55.00.

The money will cover the \$25.00 filing fee for the notice and a \$30.00 deficiency in the filing fee paid for the notices received in 1988.

If you have questions concerning either the notice or filing fee please contact me.

Respectfully submitted,

Ernest Carlsen
Water Rights Supervisor, Adjudications

Enclosure: A31-10196

MICROFILMED
NOV 14 1994

Water Right Number - A31-10196 Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

*** C - CURRENT OWNER ***
SUTTON Last Name First Name Address State- ID Zip- 83440
STANLEY OR PAULINE 1 - 578 E. 7000 S.
2 -
3 - City- REXBURG State- ID Zip- 83440
Phone - 208-356-3562
1 - DEPT. OF LANDS
2 - STATEHOUSE MAIL
3 -
City- BOISE State- ID Zip- 83720
Phone - 208-000-0000
1 -
2 -
3 -
City- X State- ID Zip- 0
Phone - 208-000-0000

STATE OF IDAHO

*** K - ALSO KNOWN AS ***
LANDS

Priority Date Region Error in Region Stage Status
02/28/1910 J - BENEFICIAL USE J - BENEFICIAL USE SINKS

Source Point of Diversion Water Use Diversion Rate Diversion Volume

Code Description Period From Period To Place of Use Code County

04 - STOCKWATER 05/01 11/15 0.090 + - Total Consumptive Use - + + - KW Usage - +

04 - STOCKWATER 05/01 11/15 0.090 + - Total Consumptive Use - + + - KW Usage - +

04 - STOCKWATER 05/01 11/15 0.090 + - Total Consumptive Use - + + - KW Usage - +

04 - STOCKWATER 05/01 11/15 0.090 + - Total Consumptive Use - + + - KW Usage - +

04 - STOCKWATER 05/01 11/15 0.090 + - Total Consumptive Use - + + - KW Usage - +

04 - STOCKWATER 05/01 11/15 0.090 + - Total Consumptive Use - + + - KW Usage - +

04 - STOCKWATER 05/01 11/15 0.090 + - Total Consumptive Use - + + - KW Usage - +

04 - STOCKWATER 05/01 11/15 0.090 + - Total Consumptive Use - + + - KW Usage - +

04 - STOCKWATER 05/01 11/15 0.090 + - Total Consumptive Use - + + - KW Usage - +

04 - STOCKWATER 05/01 11/15 0.090 + - Total Consumptive Use - + + - KW Usage - +

04 - STOCKWATER 05/01 11/15 0.090 + - Total Consumptive Use - + + - KW Usage - +

5/25/93 - TC Sally - she will check with Dan &
call back tomorrow
TC Dan - Sally entered "K" code -
state Lands did not file notice.

Water right number - A31-10196 Prefix Translation: ADJUDICATION CLAIM

+ - - Other Rights for Same Use - NONE

+ - - - - - Remarks - - - - -
STATE OF IDAHO, DEPARTMENT OF LANDS, OWNS THE PLACE OF USE. MR.
SUTTON LEASES THE PLACE OF USE.

+ - - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers Found

+ - - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - - - Decree Plaintiff - - - + - - - - - Decree Defendant - - - + - - - - - Decree Date - - -
00/00/0000

+ - - - - - Comments - - - - -
No Comments Found

+ - - Audit Fields - - - +
02/08/91 FRAZEE

+ - - - - - Adjudication Rights Dates and Flags Area - - - - -

Court Report Filing	-	00/00/0000	Field Inspection Made	-	00/00/0000	Civil Case Number	-	39576
Objection Filed Date	-	00/00/0000	Field Inspection Flag	-		Old Case Number	-	
Response Filed Date	-	00/00/0000	Verified Date	-	00/00/0000	Old Judicial District	-	
Claim Received Date	-	06/28/1988	Last Amended Date	-	00/00/0000	Temporary Right	-	T
			Receipt Number	-		Water District	-	
			POU Ownership Flag	-	Y	Federal/State Indicator	-	S
			Name Connector	-	AND	Presumption Flag	-	
						Notice of Error Flag	-	

MICROFILMED
NOV 14 1994

Idaho Department Of Water Resources
Receipt Maintenance II - Maint. Screen 3

Date: 05/26/94
Time: 08:44:00

Receipt Number : E000559

Page 1 OF 3

Receipt Amt : 622.00

A3100089	74.00 ✓	A3100090	50.00 ✓	A3100179	248.00 ✓
A3100180	50.00 ✓	A3110193	25.00 ✓	A3110195	25.00 ✓
A3100285	50.00 ✓	A3100294A	25.00 ✓	A3100293	25.00 ✓
A3110197	25.00 ✓	~~A31-10196~~	25.00		
	84				293.00

\$55.00 short.

(Enter=Continue) (GOLD2=Update) (GOLD4=Prev Pg) (GOLD5=Next Pg)

MICROFILMED
NOV 14 1996

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: AUG-19-1997

PAGE: A-58

RIGHT NUMBER: 31-10196

NAME & ADDRESS: STANLEY SUTTON
PAULINE SUTTON ✓
578 E 7000 S
REXBURG ID 83440

SOURCE: SPRINGS TRIBUTARY: SINKS

QUANTITY: 0.09 CFS

PRIORITY DATE: 02/28/1910

POINT OF DIVERSION: T12N R37E S16 NWSENE Within CLARK County
SWNENW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER STOCKWATER, 350 RANGE C	05-01 11-15	0.09 CFS

PLACE OF USE: STOCKWATER Within CLARK County
T13N R37E S16 SENE NENW

Nargher
N.F.

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

STATE OF IDAHO, DEPARTMENT OF LANDS, OWNS THE PLACE OF USE.
CLAIMANT LEASES THE PLACE OF USE.

*****NOTE TO BE DELETED WHEN NOTICE IS RECEIVED*****

DURING TELECON ON 26 MAY 94, CLAIMANT STATED HE DELIVERED THIS
NOTICE TO LANDS. IDWR RECORDS CONFIRM LANDS FAILED TO FILE.
SENT FORM TO CLAIMANT BECAUSE HE WANTS A NOTICE TO BE FILED.
WAIVED LATE FEE SINCE CLAIMANT MADE EFFORT TO GET FILING RECORDED
PRIOR TO DEADLINE.

*****EMC 27 MAY 94*****

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

Verified by *Samaly* Date: 9-25-97

Verification Source: *Alpha roll, map*

11/16/2000

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 31-10196

NAME AND ADDRESS: PAULINE SUTTON
STANLEY SUTTON
578 E 7000 S
REXBURG, ID 83440

SOURCE: SPRINGS TRIBUTARY: SINKS

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 02/28/1910

POINT OF DIVERSION: T12N R37E S16 NWSENE Within CLARK County
T12N R37E S16 SWNENW Within CLARK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	05-01 11-15	0.02 CFS

PLACE OF USE:

<u>STOCKWATER Within CLARK County</u>			
T12N R37E S16	NENW	T12N R37E S16	SENE

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.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

STATE OF IDAHO, DEPARTMENT OF LANDS, OWNS THE PLACE OF USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

STOCKWATER, 350 CATTLE

AJ5809NP
No. R31-10196

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 07/31/00
PAGE: 10

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	STANLEY SUTTON	02/28/1910	STOCKWATER	05-01 11-15	0.090 CFS	
C	PAULINE SUTTON					
				TOTAL DIVERSION:	0.090 CFS	

Water Source: SPRINGS Tributary to: SINKS Stage: BENEFICIAL USE

Point(s) of Diversion: T12N R37E S16 NWSENE SWNEW CLARK County

Place of use Legal Description for: STOCKWATER

NE		SW	
NENE NWNE SWNE SENE	: NENW NWNW SWNW SENW	: NESW NWSW SWSW SESW	: NESE NWSE SWSE SESE
T R S : Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac
13N 37E 16 :	S : S	:	:

POU County: CLARK

Non-Irrigation Uses: STOCKWATER, 350 RANGE CATTLE

Remarks: GEN STATE OF IDAHO, DEPARTMENT OF LANDS, OWNS THE PLACE OF USE.
CLAIMANT LEASES THE PLACE OF USE.
*****NOTE TO BE DELETED WHEN NOTICE IS RECEIVED*****
DURING TELECON ON 26 MAY 94, CLAIMANT STATED HE DELIVERED THIS
NOTICE TO LANDS. IDWR RECORDS CONFIRM LANDS FAILED TO FILE.
SENT FORM TO CLAIMANT BECAUSE HE WANTS A NOTICE TO BE FILED.
WAIVED LATE FEE SINCE CLAIMANT MADE EFFORT TO GET FILING RECORDED
PRIOR TO DEADLINE.
*****EMC 27 MAY 94*****

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

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NOV 13 2001

Department of Water Resources

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	)	A. Subcase No. 31-10196
	)	
Case No. 39576	)	STANDARD FORM 2
	)	RESPONSE TO OBJECTION
_____	)	

B. NAME AND ADDRESS OF PERSON RESPONDING:

Name: United States of America, acting through the USDA Forest Service
Address: 550 W. Fort St. MSC 033
Boise, ID 83724

Name and Address of Attorney:

Attorney Name: David L. Negri
Attorney Address: United States Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 W. Fort St. MSC 033
Boise, ID 83724
Attorney Phone: (208) 331-5943

C. NAME AND ADDRESS OF PERSON WHO FILED OBJECTION TO WHICH YOU
ARE RESPONDING:

Name: Idaho Department of Lands
Address: 954 West Jefferson Street
P.O. Box 83720
Boise, ID 83720-0050

D. I am responding to the objection(s) to the following elements:

1. ☒ Name and Address
2. ☐ Source
3. ☐ Quantity
4. ☐ Priority Date
5. ☐ Point(s) of Diversion
6. ☐ Instream Flow Description
7. ☐ Purpose(s) of Use
8. ☐ Period of Year
9. ☐ Place of Use
11. Recommendation:
 - ☐ This water right should not exist
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

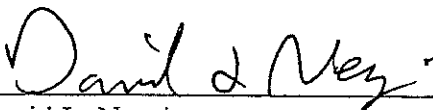
VERIFICATION

State of Idaho)
) ss.
County of Ada)

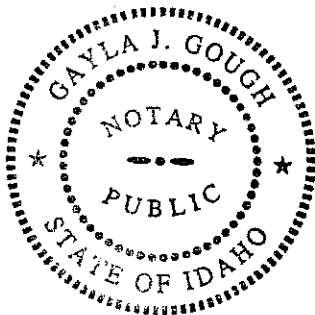
MICHAEL COLLETTE, duly sworn, upon oath, deposes and says:

That I am the party/claimant filing this response, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant responding, and that I have read this response, know its contents and believe that the statements are true to the best of my knowledge.

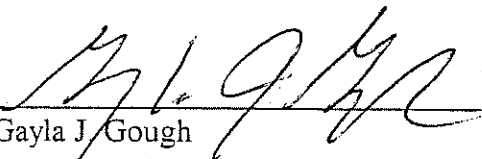

Michael Collette


David L. Negri
United States Department of Justice

Subscribed and sworn to before me on: November 8, 2001



(seal)


Gayla J. Gough
Notary Public for: Idaho
Residing at: Kuna, Idaho
My Commission Expires: 11-17-2004

CERTIFICATE OF MAILING

I certify that on November 9, 2001, I mailed the original and copies of this response, including all attachments, to the following persons:

1. Original BY HAND DELIVERY to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy by U.S. Mail to the claimant of the water right at the following address:

Pauline and Stanley Sutton
578 E. 7000 S.
Rexburg, Idaho 83440

3. One copy by U.S. Mail to the party who filed the objection at the following address:

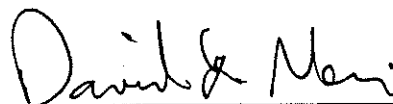
Steven J. Shuster
Deputy Attorney General
Idaho Department of Lands
954 West Jefferson Street
P.O. Box 83720
Boise, Idaho 83720-0050

4. Copies by U.S. Mail to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449



David L. Negri

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SEP 10 2001

Department of Water Resources

**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	)	Subcase 31-10196
	)	
Case No. 39576	)	
	)	STANDARD FORM 1
	)	OBJECTION
	)	
	)	

NAME AND ADDRESS OF PERSON OBJECTING

Name: Idaho Department of Lands
Address: 954 West Jefferson Street
PO Box 83720
Boise, Idaho 83720-0050

Daytime Phone: (208) 334-0200

Name & Address of Attorney, if any:

Attorney Name:	ALAN G. LANCE Attorney General CLIVE J. STRONG Deputy Attorney General Chief, Natural Resources Division STEVEN J. SCHUSTER Deputy Attorney General Idaho Department of Lands
Attorney Address:	954 West Jefferson Street PO Box 83720 Boise, Idaho 83720-0050
Attorney Phone No.	(208) 334-0200 Idaho State Bar # 3453

CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Pauline and Stanley Sutton
Address: 578 E 7000 S
Rexburg, Idaho 83440

I object to the following elements as recommended in the Director's Report.

1. ☒ **Name and Address**
Should be: Idaho Department of Lands
954 West Jefferson Street
PO Box 83720
Boise, Idaho 83720-0050
2. ☐ **Source**
Should be: As claimed
3. ☐ **Quantity**
Should be: As claimed
4. ☐ **Priority Date**
Should be: As claimed
5. ☐ **Point(s) of Diversion**
Should be: As claimed
6. ☐ **Instream Flow Description**
Should be: As claimed
7. ☐ **Purpose(s) of Use**
Should be: As claimed
8. ☐ **Period of Year**
Should be: As claimed
9. ☐ **Place of Use**
Should be: As claimed
10. **I object because:**
 - ☐ This water right should not exist.
 - ☒ This water right was not recommended, but should be recommended with the elements described above.

REASONS SUPPORTING OBJECTION(S):

The State of Idaho, through the Idaho Department of Lands, is the owner of a portion of the land upon which use is claimed. This land is State Public School endowment land. This land is more particularly described as the NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, of Section 16, Township 12 North, Range 37 East, Boise Meridian. The claimant does not have a valid water right for use on the endowment land because a private claim cannot be made on such lands.

VERIFICATION

State of Idaho)
) ss.
County of Ada)

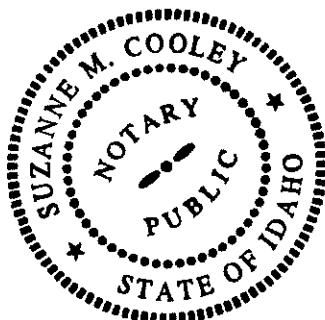
Steven J. Schuster, duly sworn, upon oath, deposes and says:

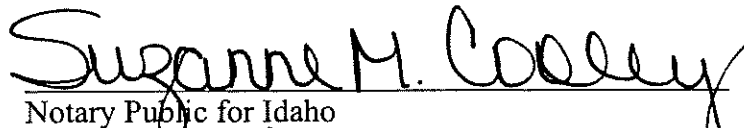
That the State of Idaho, Department of Lands, in its proprietary capacity is filing this objection and that I am a Deputy Attorney General authorized to represent the State of Idaho, Department of Lands which is a party/claimant in this proceeding as defined by I.C. § 42-1401A (1) and (6), and I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

ALAN G. LANCE
Attorney General
CLIVE J. STRONG
Deputy Attorney General
STEVEN J. SCHUSTER
Deputy Attorney General
Idaho Department of Lands


STEVEN J. SCHUSTER
Deputy Attorney General
Idaho Department of Lands

Subscribed and sworn to before me on this 6th day of September,
2001.




Notary Public for Idaho
Residing at: Boise, ID
My Commission expires: 7-22-2002

CERTIFICATE OF MAILING

I certify that on this 6th day of September, 2001, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Pauline and Stanley Sutton
Address: 578 E 7000 S
Rexburg, Idaho 83440

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, Idaho 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, Idaho 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, Idaho 83724


STEVEN J. SCHUSTER
Deputy Attorney General
Idaho Department of Lands

RECEIVED

JUL 19 2002

Department of Water Resources

EG 2002

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
JUL 19 2002
By _____
CLERK
PRODUCED BY _____

**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

)
) **ORDER OF PARTIAL DECREE**
)
) **For Water Right 31-10196**
)

On May 7, 2002, 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 31-10196 is hereby decreed as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED July 18, 2002

Roger Burdick

ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

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

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 31-10196

By _____ Clerk

Deputy Clerk

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF LANDS
PO BOX 83720
BOISE, ID 83720

SOURCE: SPRINGS TRIBUTARY: SINKS

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 02/28/1910

POINT OF DIVERSION: T12N R37E S16 NWSENE Within Clark County
SWNENW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	05-01 TO 11-15	0.02 CFS

PLACE OF USE: Stockwater Within Clark County
T12N R37E S16 SENE NENW

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.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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.

Roger Burdick
Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

2002 JUL 18 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)
)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 31-10196

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 31-10196 was mailed
on July 18, 2002, with sufficient first-class postage prepaid
to the following:

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

STATE OF IDAHO
DEPT OF LANDS
PO BOX 83720
BOISE, ID 83720
Phone: 208-356-3562

ROBBIN GLATZ
Chief Deputy Clerk