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DEPARTMENT OF
WATER RESOURCES

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

FEB 26 2014

By

Clerk

Deputy Clerk

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

) Water Right No.: 25-13400

)

Case No. 39576

) ORDER OF PARTIAL DECREE, *NUNC PRO*

) *TUNC* TO FEBRUARY 12, 1999

)

)

)

)

On May 11, 1998, the Idaho Department of Water Resources filed its *Director's Report for Basin 25, Domestic & Stockwater Claims*, which included the Director's recommendation for the above-captioned water right claim. No objections were filed to the recommendation and the time period for filing such objections has expired. On February 12, 1999, a *Partial Decree* was entered for the above-captioned uncontested water right claim. However, while the ROA record indicates that a *Partial Decree* for the above-captioned water right was entered on that date, a copy of that *Partial Decree* cannot be located.

Therefore, IT IS ORDERED that water right claim 25-13400 be **decreed *nunc pro tunc*** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b), Nunc Pro Tunc, February 12, 1999*.

Dated February 25, 2014

ERIC J. WILDMAN

Presiding Judge

Snake River Basin Adjudication

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

NUNC PRO TUNC

In Re SRBA)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 25-13400

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
FEB 12 1999	
By _____	Clerk
_____	Deputy Clerk

NAME AND ADDRESS: DIANNE L SOMSEN
G FRANK SOMSEN
GARY FOWLER
KRISTINE P SOMSEN
212 PLEASANT WAY
RUPERT, ID 83350

SOURCE: SPRING TRIBUTARY: SINKS

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 06/01/1898

POINT OF DIVERSION: T05S R43E S14 SESE Within Caribou County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	04-01 TO 11-30	0.02 CFS
	Domestic 1 HOME	01-01 TO 12-31	0.02 CFS

PLACE OF USE:	Stockwater	Within Caribou County
	T05S R43E S23	NWNE
	Domestic	Within Caribou County
	T05S R43E S23	NWNE

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.

Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

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WATER RESOURCES

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREE NUNC PRO TUNC TO FEBRUARY 12, 1999 was mailed on February 25, 2014, with sufficient first-class postage to the following:

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

DIANNE L SOMSEN
G FRANK SOMSEN
GARY FOWLER
KRISTINE P SOMSEN
212 PLEASANT WAY
RUPERT, ID 83350
Phone: 208-436-3623

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line. The signature is in dark ink and is positioned to the right of the printed text "Deputy Clerk".