

1998 MAR -2 AM 10: 59

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

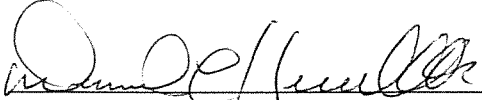
In Re SRBA	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right 34-00426A
_____	)	

On January 8, 1998, 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 34-00426A is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED March 2, 1998.



DANIEL C. HURLBUTT, JR.
Presiding Judge
Snake River Basin Adjudication

ORDER OF PARTIAL DECREE

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MICROFILMED

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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 34-00426A

1998 MAR -2 AM 10: 59

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS: MERLE M KING
JOHN D KING
HC 60 BOX 280
DARLINGTON ID 83231

SOURCE: ANTELOPE CREEK TRIBUTARY: BIG LOST RIVER

QUANTITY: 2.32 CFS

PRIORITY DATE: 06/01/1884

POINT OF DIVERSION: T04N R24E S02 SWSNE Within CUSTER County
T05N R24E S36 NWNWSE
SWSWSW
T04N R24E S02 NENWSE Within BUTTE County
S11 NENWNW

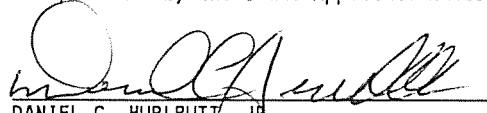
PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION Irrigation Season 2.32 CFS

PLACE OF USE: IRRIGATION Within BUTTE and CUSTER Counties
T04N R24E S01 Lot 3 (NENW)20 Lot 4 (NWNW)24.3 SWNW 21.9
S02 Lot 1 (NENE)10.8 Lot 2 (NWNE) 0.5 SWNE 10.3 SENE 20.2
NWSE 13
T05N R24E S36 SWSW 13.6 SESW 17.7
152.3 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 34-00427A AND 34-00554A IS
LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 152.3 ACRES IN A
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 116 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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 MAR 03 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) : 34-00426A

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 34-00426A was mailed
on March 03, 1998, with sufficient first-class postage prepaid
to the following:

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

JOHN D. KING
MERLE M KING
HC 60 BOX 280
DARLINGTON, ID 83231

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

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03/03/98

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