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FEB 14 2000

Department of Water Resources

200 FEB 10 PM 12:32

FILED  
FEB 10 2000  
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

) ORDER OF PARTIAL DECREE

) For Water Right 72-00137

)  
)  
)  
)  

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On December 1, 1999, 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 72-00137 is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED FEB 10 2000



BARRY WOOD  
Administrative District Judge and  
Presiding Judge of the  
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

In Re SRBA )  
Case No. 39576 )  
\_\_\_\_\_ )

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 72-00137

270 FEB 10 PM 12:32

FILED  
CLERK OF DISTRICT COURT  
TWIN FALLS, IDAHO

NAME AND ADDRESS: THOMPSON CREEK MINING CO  
C/O BERT DOUGHTY  
PO BOX 62  
CLAYTON, ID 83227

SOURCE: SQUAW CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 1.71 CFS

PRIORITY DATE: 04/01/1902

POINT OF DIVERSION: T11N R17E S08 SESENE Within Custer County  
NENESE

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|----------------------------|----------------|----------------|----------|
|                            | Irrigation     | 04-01 TO 10-31 | 1.71 CFS |

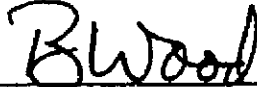
| PLACE OF USE: | Irrigation       |          | Within Custer County |
|---------------|------------------|----------|----------------------|
|               | T11N R17E S09    | NWSW 6.1 | SWSW 6.3             |
|               | S16              | NWNW 4.7 | SUNW 6.3             |
|               | 23.4 Acres Total |          |                      |

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

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.

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

2000 FEB 10 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): 72-00137

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 72-00137 was mailed  
on February 10, 2000, with sufficient first-class postage prepaid  
to the following:

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

THOMPSON CREEK MINING CO  
Represented by:  
SCOTT L. CAMPBELL  
PO BOX 1539  
BOISE, ID 83701  
Phone: 208-343-5454

DIANA DELANEY  
Chief Deputy Clerk

CERTIFICATE OF MAILING

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02/10/00