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Department of Water Resources

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUN - 8 2005	
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

Case No. 39576

) ORDER OF PARTIAL DECREE

) For Water Right: 86-10677

On April 8, 2005, a *Special Master's Report and Recommendation* was filed for water right 86-10677. 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 Recommendation* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 86-10677 be **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED June 7, 2005.


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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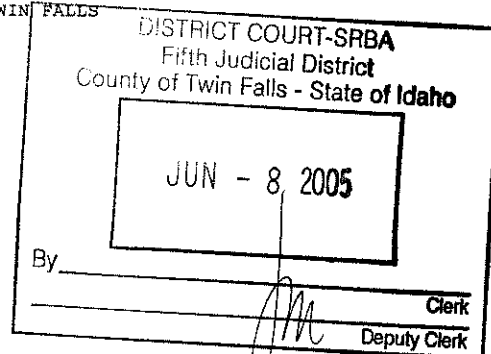
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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 86-10677



NAME AND ADDRESS: JAMES BREWER
JOHN W BREWER
2809 ALBRIGHT GRADE
LEWISTON, ID 83501

SOURCE: SPRINGS TRIBUTARY: CLEARWATER RIVER

QUANTITY: 0.20 CFS
20.00 AFY

The quantity of water under this right shall not exceed 13,000
gallons per day.

PRIORITY DATE: 11/14/1903

POINT OF DIVERSION: T36N R05W S17 SWSWSW Within Nez Perce County
S20 SWSWNW
SWSWNW
SWSWNW

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Stockwater	01-01 TO 12-31	0.08 CFS
Stockwater Storage	01-01 TO 12-31	20.00 AFY
Stockwater from Storage	01-01 TO 12-31	20.00 AFY
Domestic	01-01 TO 12-31	0.04 CFS
Diversion to Storage	01-01 TO 12-31	0.08 CFS

PLACE OF USE:	Stockwater	Within Nez Perce County
T36N R05W S20	SWNW	SWSW
S29	NENW	
Stockwater Storage		Within Nez Perce County
T36N R05W S20	SWSW	
Stockwater from Storage		Within Nez Perce County
T36N R05W S20	SWSW	
Domestic		Within Nez Perce County
T36N R05W S29	NENW	

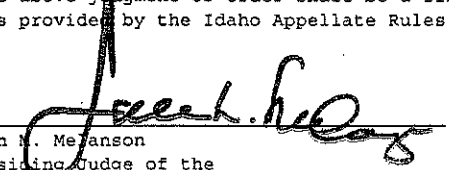
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.


John M. Meranson
Presiding Judge of the
Snake River Basin Adjudication

2005 JUN 08 / 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): 86-10677

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 86-10677 was mailed
on June 08, 2005, with sufficient first-class postage prepaid
to the following:

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

JAMES BREWER
Represented by:
JAMES W GIVENS
BOX 875
LEWISTON, ID 83501
Phone: 208-746-2374

JOHN W BREWER
2809 ALBRIGHT GRADE
LEWISTON, ID 83501

JULIE MURPHY
Chief Deputy Clerk

