

2005 JAN -3 PM 3:09
DISTRICT COURT-SRBA
TWIN FALLS, IDAHO
FILED

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

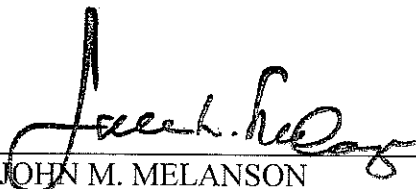
In Re SRBA	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right: 77-11023
	)	
_____	)	

On November 24, 2004, a *Special Master's Report and Recommendation* was filed for water right 77-11023. 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 77-11023 be **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED January 3, 2005.



JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

2005 JAN -3 PM 3:19
DISTRICT ATTORNEY
TWIN FALLS CO., IDAHO
FILED

Water Right 77-11023

SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 06/28/1934

POINT OF DIVERSION:	T24N R02E S13 LOT 7	(SNNWSW) (Instream Ending Point)	Within Idaho County
	S21 LOT 10	(SWSESE) (Instream Ending Point)	
	S23 LOT 1	(NENWNW) (Instream Beginning Point)	
	R03E S18 LOT 10	(SWNESE) (Instream Beginning Point)	
	S19 LOT 7	(NENESE) (Instream Ending Point)	
	S20 LOT 6	(NESESE) (Instream Beginning Point)	

PURPOSE AND PERIOD OF USE:			
PURPOSE OF USE	PERIOD OF USE	QUANTITY	
Stockwater	01-01 TO 12-31	0.02 CFS	

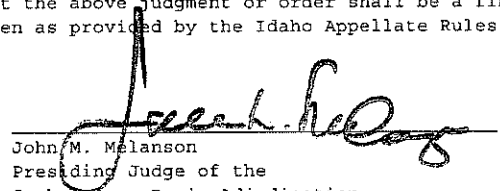
PLACE OF USE:	Stockwater			Within Idaho County
	T24N R02E S13	LOT 1	{NENE}	LOT 4 {NWNE}
		LOT 4	{SWNE}	LOT 4 {SENW}
		LOT 5	{NESW}	LOT 7 {NWSW}
	S21	LOT 10	{SESE}	
	S22	LOT 3	{NENE}	LOT 3 {SENE}
		LOT 10	{NESW}	LOT 9 {SWSW}
		LOT 10	{SESW}	LOT 4 {NESE}
		LOT 5	{NWSE}	
	S23	LOT 1	{NWNW}	
	R03E S18	LOT 7	{NWNE}	LOT 7 {SWNE}
		LOT 7	{SENE}	LOT 6 {NENW}
		LOT 4	{NWNW}	LOT 10 {NESE}
	S19	LOT 7	{NESE}	
	S20	LOT 9	{NWSW}	LOT 9 {SWSW}
		LOT 8	{SESW}	LOT 7 {SWSE}
		LOT 6	{SESE}	

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. Melanson
Presiding Judge of the
Snake River Basin Adjudication

2005 JAN 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	)	CERTIFICATE OF MAILING
	)	
Case No. 39576	)	
_____	)	Water Right(s): 77-11023

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 77-11023 was mailed
on January 03, 2005, with sufficient first-class postage prepaid
to the following:

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

USDI BLM
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

JULIE MURPHY
Chief Deputy Clerk