

FEB 11 2004 PM 2:41  
DISTRICT COURT - SRBA  
TWIN FALLS, IDAHO

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

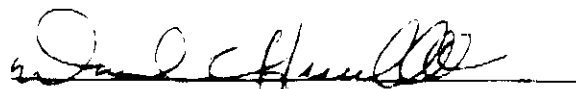
|                |   |                                  |
|----------------|---|----------------------------------|
| In Re SRBA     | ) | <b>ORDER OF PARTIAL DECREE</b>   |
|                | ) |                                  |
| Case No. 39576 | ) | <b>For Water Right 71-10665C</b> |
| _____          | ) |                                  |

On January 29, 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 I*, 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 71-10665C is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED March 5, 1998.

  
DANIEL C. HURLBUTT, JR.  
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 FALLSIn Re SRBA )  
 )  
Case No. 39576 )  
\_\_\_\_\_ )PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 71-10665C

B22 115-2 11 2:41

DISTRICT CLERK - SRBA  
TWIN FALLS, IDAHONAME & ADDRESS: KARAN JUSTUS  
DONALD K JUSTUS  
STEVEN JUSTUS  
KEVIN JUSTUS  
1024 RANCH RD  
BOISE ID 83702

SOURCE: BEAVER CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.33 CFS

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

PRIORITY DATE: 05/01/1954

POINT OF DIVERSION: T07N R14E S28 NENE NE Within BLAINE County

TWO POINTS OF DIVERSION LOCATED IN T07N, R14E, S28, NENE NE.

|                |                |               |          |
|----------------|----------------|---------------|----------|
| PURPOSE AND    |                |               |          |
| PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE | QUANTITY |
|                | STOCKWATER     | 10-01 11-01   | 0.33 CFS |

|               |               |                      |
|---------------|---------------|----------------------|
| PLACE OF USE: | STOCKWATER    | Within BLAINE County |
|               | T07N R14E S21 | NENE                 |
|               | S22           | NENE                 |

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.

## 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
PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)  
Water Right 71-10665CPAGE 1  
JAN-22-1998

1998 MAR 02 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): 71-10665C

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 71-10665C was mailed  
on March 02, 1998, with sufficient first-class postage prepaid  
to the following:

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

USDA FOREST SERVICE  
Represented by:  
RANDALL J. BRAMER  
SUITE 330  
380 E PARK CENTER BLVD  
BOISE, ID 83706  
Phone: 208-387-0835

DONALD K JUSTUS  
KARAN JUSTUS  
KEVIN JUSTUS  
STEVEN JUSTUS  
1024 RANCH RD  
BOISE, ID 83702  
Phone: 208-344-0921

DIANA DELANEY  
Chief Deputy Clerk

CERTIFICATE OF MAILING

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03/02/98