

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

STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

FILED
TWIN FALLS CO., IDAHO
JUL 14 2004

In Re SRBA

Case No. 39576

FINAL ORDER DISALLOWING
WATER RIGHT CLAIM

SUBCASE: 32-10442

On April 16, 2004, a *Special Master's Report and Recommendation* was filed for the above water right claim, recommending water right claim 32-10442 not be decreed and the claim be dismissed with prejudice. No challenges were filed to the *Special Master's Report and Recommendation* and the time for filing challenges has expired.

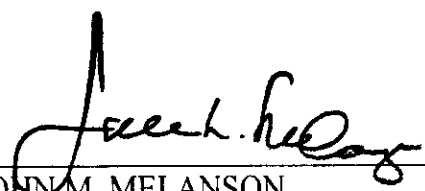
Pursuant to I.R.C.P. 53(e) (2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 32-10442 is hereby **disallowed with prejudice** and shall not be confirmed in any partial decree or in any final decree entered in the SRBA, Case No. 39576, in whatever form that final decree may take or be styled.

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.

DATED June 1, 2004.


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the FINAL ORDER
DISALLOWING WATER RIGHT CLAIM was mailed on June 01, 2004,
with sufficient first-class postage to the following:

STATE OF IDAHO

Represented by:
NATURAL RESOURCES DIV CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
PO BOX 44449
BOISE, ID 83711-4449

USDI BLM

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
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DIRECTOR OF IDWR

PO BOX 83720
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A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line.