

273 MAY -6 PM 2:34
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

Water Right Claim 32-04025

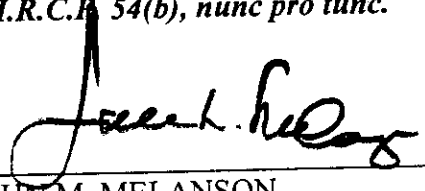
ORDER OF PARTIAL DECREE
NUNC PRO TUNC

Water right claim 32-04025 was reported in the *Director's Report for Domestic and Stockwater, IDWR Basin 32*, filed on January 30, 1998. Objections to this *Director's Report* were required to be filed no later than June 4, 1998. No objections were filed to water right claim 32-04025.

The SRBA Court's Register of Action indicates that a *Partial Decree* was issued for this water right on June 25, 1998. However, neither the Clerk of the Court, the Idaho Department of Water Resources nor counsel and staff for the United States have been able to locate a copy of any *Partial Decree* actually issued on that date for water right 32-04025. It, therefore, appears that although the District Court intended to enter a Partial Decree, either the decree has been lost, or no such decree was ever signed by the District Court.

Therefore, IT IS ORDERED that water right 32-04025 is hereby decreed *nunc pro tunc* as set forth in the attached *Partial Decree Pursuant to I.R.C.B. 54(b), nunc pro tunc*.

DATED May 6, 2004.


JOHN M. MELANSON
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 FALLS

In Re SRBA)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Nunc Pro Tunc
Water Right 32-04025

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FILED
TWIN FALLS CO., IDAHO

NAME AND ADDRESS: USDA FOREST SERVICE
550 W FORT ST, MSC 033
BOISE, ID 83724

SOURCE: LIMESTONE GULCH SPRING TRIBUTARY: LIMESTONE GULCH

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 05/01/1884

POINT OF DIVERSION: T13N R32E S05 SESE Within Clark County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	06-01 TO 10-31	0.02 CFS

PLACE OF USE: Stockwater Within Clark County
T13N R32E S05 SESE

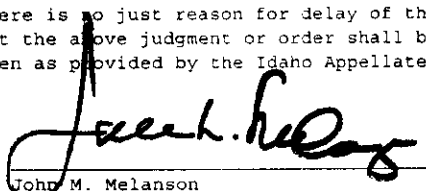
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. Melanson
Presiding Judge of the
Snake River Basin Adjudication

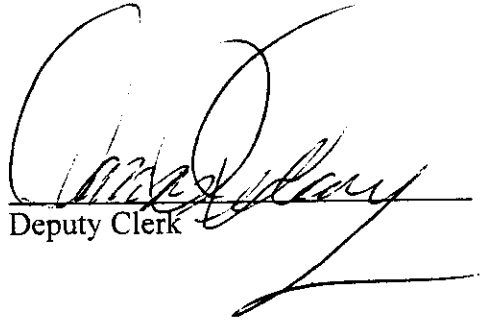
CERTIFICATE OF MAILING

I certify that a true and correct copy of the **ORDER OF PARTIAL DECREE** was mailed on May 6, 2004, with sufficient first-class postage to the following:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449


Deputy Clerk