

2004 MAY -4 PM 4: 07

FILED - 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)
Case No. 39576)
ORDER OF PARTIAL DECREE
For Water Right: 63-23584

On March 18, 2004, a *Special Master's Report and Recommendation* was filed for water right 63-23584. 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 wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 63-23584 be **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED May 4, 2004.


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

2004 MAY -4 PM 4: 07

Water Right 63-23584

FILED - TWIN FALLS CO., IDAHO

ROBERT E SCHRAFT
6234 SHENANDOAH AVE
LAS VEGAS, NV 89115

QUANTITY: 0.04 CFS

PRIORITY DATE: 07/03/1956

POINT OF DIVERSION: T04N R10E S14 LOT 1 (SWSESE) Within Elmore County

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Mining	06-01 TO 10-31	0.01 CFS
Domestic	01-01 TO 12-31	0.04 CFS

PLACE OF USE:	Mining		Within Elmore County
	T04N R10E S23	NENE	
	Domestic		Within Elmore County
	T04N R10E S23	NENE	

ALL PLACES OF USE ARE ON PRIVATE LAND WITHIN MINERAL SURVEY
(MS) 3605.

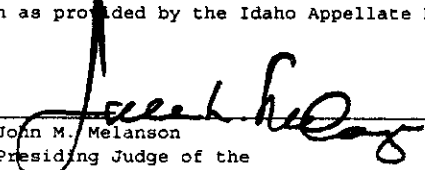
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE 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

2004 MAY 04 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): 63-23584

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 63-23584 was mailed
on May 04, 2004, with sufficient first-class postage prepaid
to the following:

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

UNITED STATES OF AMERICA
Represented by:
DAVID NEGRI
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATURAL RESOURCE
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

CHARLENE M EPPERSON
PO BOX 122
ATLANTA, ID 83601

ARTA SCHRAFT
PO BOX 143
ATLANTA, ID 83601
Phone: 208-864-2164

CERTIFICATE OF MAILING

PAGE 1
05/04/04

ROBERT E SCHRAFT
6234 SHENANDOAH AVE
LAS VEGAS, NV 89115
Phone: 702-452-9094

JULIE MURPHY
Chief Deputy Clerk