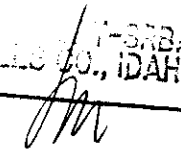


2004 MAY -4 PM 4: 26
TWIN FALLS CO., IDAHO
FILED 

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	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right: 63-05323
	)	
_____	)	

On March 11, 2004, a *Special Master's Report and Recommendation* was filed for water right 63-05323. 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 63-05323 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

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 63-05323

2004 MAY -4 PM 4:26
TWIN FALLS CO. IDAHO
FILED *jm*

NAME AND ADDRESS: TERRY PLATTS
1313 IDAHO ST
GOODING, ID 83330

SOURCE: SPRING TRIBUTARY: WEST FORK SKELETON CREEK

QUANTITY: 0.15 CFS

PRIORITY DATE: 05/01/1934

POINT OF DIVERSION: T04N R12E S15 NWSWS Within Camas County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Mining	05-01 TO 12-01	0.15 CFS

PLACE OF USE: Mining Within Camas County
T04N R12E S15 SWSW

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

THE POINT OF DIVERSION AND PLACE OF USE FOR THIS WATER RIGHT ARE
ON NATIONAL FOREST SYSTEM LAND, AN UNPATENTED MINING CLAIM KNOWN
AS THE REMINGTON LODGE, IMC 26932.
THIS WATER RIGHT IS ONLY FOR USE ON THE REMINGTON LODGE MINING
CLAIM FOR MINING PURPOSES AUTHORIZED UNDER STATE AND FEDERAL LAW
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
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)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s): 63-05323

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 63-05323 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

TERRY PLATTS
1313 IDAHO ST
GOODING, ID 83330

TERRY PLATTS
226 SOUTH P STREET
LIVERMORE, CA 94550
Phone: 925-449-4525

CERTIFICATE OF MAILING

JULIE MURPHY
Chief Deputy Clerk

PAGE 1
05/04/04