

2004 MAY -4 PM 4:08
TWIN FALLS CO. SRBA
FILED *MM* 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	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right: 63-29423
	)	
_____	)	

On March 10, 2004, a *Special Master's Report and Recommendation* was filed for water right 63-29423. 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 63-29423 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)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 63-29423

2001 MAY -4 PM 4:08
TWIN FALLS CO. IDAHO
FILED
[Signature]

NAME AND ADDRESS: SAND SPRING RANCH & CO
C/O TOM AMBROSE
16103 NE 172ND WAY
BRUSH PRAIRIE, WA 98606

SOURCE: COW CREEK TRIBUTARY: INDIAN CREEK
INDIAN CREEK TRIBUTARY: BOISE RIVER
SLATER CREEK TRIBUTARY: INDIAN CREEK
UNNAMED STREAM TRIBUTARY: COW CREEK
UNNAMED STREAM TRIBUTARY: INDIAN CREEK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 03/01/1906

POINT OF DIVERSION: T01N R04E S23 NENE (Instream Beginning Point) Within Elmore County
SESW (Instream Ending Point)
S26 NWNW (Instream Ending Point)
R05E S03 LOT 3 (NENW) (Instream Ending Point)
NESW (Instream Ending Point)
SWSE (Instream Ending Point)
S04 SESE (Instream Ending Point)
S09 NENW (Instream Ending Point)
S15 NENW (Instream Beginning Point)
R06E S07 LOT 3 (NWSW) (Instream Beginning Point)
T02N R05E S26 SESW (Instream Beginning Point)
S27 SESW (Instream Beginning Point)
S33 NWNE (Instream Beginning Point)
S35 NESW (Instream Beginning Point)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.02 CFS

PLACE OF USE:	Stockwater		Within Elmore County
	T01N R04E S23	NENE	SWNE
		SENE	NESW
		SWSW	SESW
		NESE	NWSE
		SWSE	SESE
	S24	SENE	NESW
		NWSW	NESE
		NWSE	
	S26	NWNW	
	R05E S01 LOT 3	(NENW)	LOT 4 (NWNW)
		SNNW	SENN
		NESW	NWSE
		SWSE	SESE
	S02 LOT 1	(NENE)	SWNE
		SENE	LOT 4 (NWNW)
		NESW	NWSW
		SWSW	NWSE
	S03 LOT 1	(NENE)	SENE
	LOT 3	(NENW)	SENN
		NESW	NWSW

PLACE OF USE (continued)

	SWSW	SESW
	NESE	NWSE
	SWSE	SESE
S04 LOT 3	(NENW)	SENW
	NESW	SESW
	SESE	
S08	SENE	SESW
	NESE	NWSE
	SWSE	
S09	NENE	NWNE
	NENW	NWNW
	SWNW	
S10	NWNW	SWNW
	NWSW	SWSW
	SESW	
S12	NENE	SENE
S15	NENW	
S17	NENW	NWNW
	SWNW	NWSW
S18	NESE	SWSE
	SESE	
S19	NWNE	NENW
LOT 1	(NWNW)	LOT 2 (SWNW)
R06E S07 LOT 2	(SWNW)	LOT 3 (NWSW)
T02N R05E S26	SESW	
S27	SESW	
S33	NWNE	SWNE
	NESW	SESW
	NWSE	
S34	SENE	NENW
	SENW	NESW
	SESW	NESE
	NWSE	SWSE
S35	NENW	NWNW
	SWNW	NESW
	SWSW	SESW

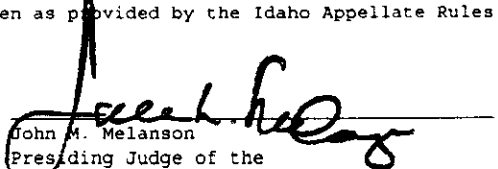
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

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): 63-29423

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 63-29423 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

SAND SPRING RANCH & CO
Represented by:
MATT J. HOWARD
ATTORNEY AT LAW
PO BOX 190012
BOISE, ID 83719
Phone: 208-333-0622

JULIE MURPHY
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
05/04/04