

1999 OCT 27 PM 1:39

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**

|                       |   |                                 |
|-----------------------|---|---------------------------------|
| <b>In Re SRBA</b>     | ) | <b>ORDER OF PARTIAL DECREE</b>  |
|                       | ) |                                 |
| <b>Case No. 39576</b> | ) | <b>For Water Right 47-16323</b> |
| _____                 | ) |                                 |

On July 12, 1999, a *Special Master's Report and Recommendation* was filed for the above water right. 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 47-16323 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED OCT 27 1999.



\_\_\_\_\_  
BARRY WOOD  
Administrative District Judge and  
Presiding Judge of the  
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 47-16323

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DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO

FILED \_\_\_\_\_

NAME AND ADDRESS: USDI BLM  
IDAHO STATE OFFICE  
1387 S VINNELL WAY  
BOISE, ID 83709-1657

SOURCE: DEEP CREEK TRIBUTARY: SNAKE RIVER  
DEEP CREEK, NORTH FORK DEEP CREEK  
DEEP CREEK, SOUTH FORK DEEP CREEK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 06/28/1934

POINT OF DIVERSION: T13S R16E S28 SWSWSW (Instream Beginning Point) Within Twin Falls County  
S29 NWNESE (Instream Ending Point)  
S34 NENWSW (Instream Beginning Point)  
NWNWSW (Instream Ending Point)  
T14S R16E S13 LOT 03 ( NENW) (Instream Ending Point)  
SWSESW (Instream Beginning Point)  
NENWSW (Instream Ending Point)  
SESESW (Instream Beginning Point)  
R17E S20 SESESE (Instream Beginning Point)  
S29 NWNWSW (Instream Ending Point)  
NWSWSW (Instream Ending Point)  
S30 SWSENE (Instream Beginning Point)  
NWSENE (Instream Ending Point)  
S32 SWNENW (Instream Ending Point)  
NESENW (Instream Beginning Point)  
NWNESW (Instream Ending Point)  
SESESW (Instream Beginning Point)  
SESESW (Instream Ending Point)  
SENWSE (Instream Beginning Point)  
T15S R17E S06 LOT 01 ( NENE) (Instream Beginning Point)  
LOT 03 ( NENW) (Instream Beginning Point)  
LOT 03 ( NENW) (Instream Ending 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 Twin Falls County  
T13S R16E S28 SWSW  
S29 NESE SESE  
S34 NWSW  
T14S R16E S13 LOT 03 (NENW) SENW  
NESW NWSW  
SESW  
R17E S20 SESE  
S29 NENE NWNE  
NENW SWNW  
SENW NWSW  
SWSW  
S30 SENE  
S32 NENW NWNW  
SENW NESW

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

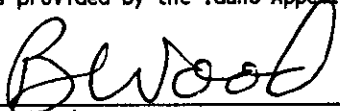
|                             |               |
|-----------------------------|---------------|
| NWSW                        | SWSW          |
| SESW                        | NWSE          |
| SWSE                        |               |
| T15S R17E S05 LOT 04 (NWNW) |               |
| S06 LOT 01 (NENE)           | LOT 03 (NENW) |

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.

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.

  
\_\_\_\_\_  
Barry Wood  
Administrative District Judge  
Presiding Judge of the  
Snake River Basin Adjudication