

1997 NOV 26 PM 2:39

DISTRICT COURT-STEAD
TWIN FALLS COUNTY
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 57-10631
_____	)	

On August 19, 1997, 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 57-10631 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED November 26, 1997.


DANIEL C. HURLBUTT, JR.
Presiding Judge
Snake River Basin Adjudication

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DEC 01 1997

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

Department of Water Resources

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
 Case No. 39576) I.R.C.P. 54(b) FOR
)
) Water Right 57-10631

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DISTRICT COURT
TWIN FALLS, IDAHO
FILED

NAME & ADDRESS: ROBERT A THOMAS
 KELLY A THOMAS
 BEN A THOMAS JR
 LINDA K FERRIS
 HC 79 BOX 2060
 MURPHY ID 83650

SOURCE: HART CREEK TRIBUTARY: CATHERINE CREEK
 LITTLE HART CREEK HART CREEK

QUANTITY: 0.24 CFS

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

PRIORITY DATE: 10/08/1915

POINT OF DIVERSION: T04S R01W S25 SESWS Within Owyhee County
 T05S R01W S04 LOT 2 (SEWNW) (INSTREAM BEGINNING POINT)
 R02W S13 MWNWNE (INSTREAM BEGINNING POINT)
 R01W S03 LOT 4 (NWNW) (INSTREAM ENDING POINT)
 S05 NESWSE (INSTREAM ENDING POINT)

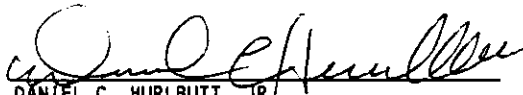
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	03-01 12-31	0.24 CFS

PLACE OF USE: STOCKWATER Within Owyhee County

T05S R01W S03	Lot 4 (NWNW)			
S04	Lot 2 (NWNE)			
S07	NENE	SWNE	SENW	NESW
	Lot 3 (NWSW)			
S08	NENW	NWNW		
R02W S12	NESE	SESE		
S13	NENE	NWNE		

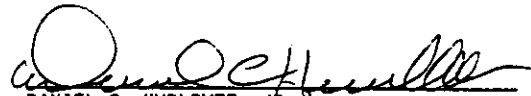
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
 DETERMINATION OF HISTORICAL BENEFICIAL USE.


 DANIEL C. HURLBUTT, JR.
 PRESIDING JUDGE
 Snake River Basin Adjudication

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.



DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication