

DEC 01 1997

Department of Water Resources

1997 NOV 26 PM 2:39

DISTRICT COURT-SN
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

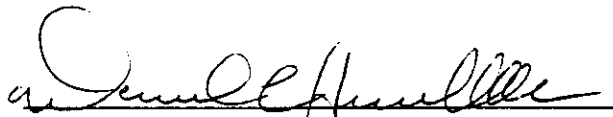
In Re SRBA	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right 57-10619
	)	

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 57-10619 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED November 16, 1997.


DANIEL C. HURLBUTT, JR.
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 57-10619

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DISTRICT COURT-SENA
TWIN FALLS COUNTY
FILED _____

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

SOURCE: CAT CREEK
LITTLE CAT CREEK
BROWNS CREEK

TRIBUTARY: BROWNS CREEK
CAT CREEK
CATHERINE CREEK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 10/08/1915

POINT OF DIVERSION: T05S R02W S36

NWNW (INSTREAM BEGINNING POINT) Within OWYHEE County
SWSW (INSTREAM BEGINNING POINT)
SWSE (INSTREAM BEGINNING POINT)
NENE (INSTREAM ENDING POINT)
NWNW (INSTREAM ENDING POINT)
NESE (INSTREAM ENDING POINT)

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

PERIOD OF USE
03-01 12-31

QUANTITY
0.02 CFS

PLACE OF USE:

STOCKWATER
T05S R02W S36

Within OWYHEE County
NENE
NESW
SWSE

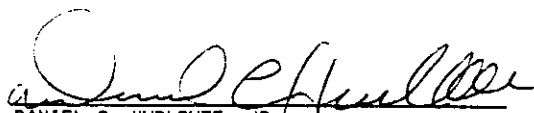
SWNE
SWSW

SENE
NESE

NWNW
NWSE

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