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JUN 16 2000

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Department of Water Resources

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

)

)

ORDER OF PARTIAL DECREE

Case No. 39576

)

)

For Water Right 43-11099

On April 11, 2000, 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 43-11099 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED JUN 14 2000.



BARRY WOOD
Administrative District Judge and
Presiding Judge of the
Snake River Basin Adjudication

JUN 16 2000

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)
)
Case No. 39576)
_____)PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 43-11099

200 JUN 14 AM 8:29

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: RAFT RIVER TRIBUTARY: SNAKE RIVER

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:	T10S R27E S26	NENWNE	(Instream Ending Point)	Within Cassia County
		SWNWNE	(Instream Beginning Point)	
	T14S R27E S30	SENESE	(Instream Beginning Point)	
		SENESE	(Instream Ending Point)	
	T15S R25E S33	SWNWSE	(Instream Beginning Point)	
		SWNWSE	(Instream Ending Point)	
	S34	SWSESW	(Instream Beginning Point)	
		SWSESW	(Instream Ending Point)	
	R26E S32	NESESW	(Instream Ending Point)	
	S33	NENWNE	(Instream Ending Point)	
		SWNWNE	(Instream Beginning Point)	
	T16S R24E S27	NESENE	(Instream Ending Point)	
	S34	SWNWNE	(Instream Beginning Point)	
	R26E S05 LOT 04 (SWNENE)		(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 Cassia County
	T10S R27E S26	NWNE
	T14S R27E S30	NESE
	T15S R25E S33	NWSE
	S34	SESW
	R26E S32	SWSW
	S33	NWNE
	T16S R24E S27	SENE
		SWSE
	S34	NWNE
	R26E S05 LOT 04 (NENE)	

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.

A handwritten signature in black ink, appearing to read "B. Wood", is written over a horizontal line.

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

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In Re SRBA

Case No. 39576

)
)
)
)

CERTIFICATE OF MAILING

Water Right(s): 43-11099

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 43-11099 was mailed
on June 14, 2000, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

STATE OF IDAHO

Represented by:

PETER J. AMPE
PO BOX 83720
BOISE, ID 83720-0010
Phone: 208-334-2400

USDI BLM

Represented by:

US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

DIANA DELANEY

Chief Deputy Clerk

CERTIFICATE OF MAILING

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06/14/00