

1997 DEC 29 PM 2: 24

DISTRICT COURT - SRBA
TWIN FALLS, 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

Case No. 39576

) **ORDER OF PARTIAL DECREE**

) **For Water Right 36-07367C**

On September 11, 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 36-07367C is hereby **decreed** as set forth in the -attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED December 29, 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 36-07367C

1997 DEC 29 PM 2:24

DISTRICT CLERK - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS: TONY VISSER
1700 E 2428 S
GOODING ID 83330

SOURCE: GROUNDWATER

QUANTITY: 0.33 CFS
68.7 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 0.75 CFS, 0.52 CFS FOR STOCKWATER USE AND 0.23
CFS FOR COMMERCIAL USE; AND TO A TOTAL COMBINED ANNUAL DIVERSION
VOLUME OF 156 AF, 108 AF FOR STOCKWATER USE AND 48 AF FOR
COMMERCIAL USE. COMBINED RIGHT NOS.: 36-02671C, 36-07367C,
36-07381C, 36-07445C, AND 36-07480D.

PRIORITY DATE: 08/13/1973

POINT OF DIVERSION: T07S R14E S01 NESE Within GOODING County

2 POINTS OF DIVERSION LOCATED IN T07S, R14E, S01, NESE.

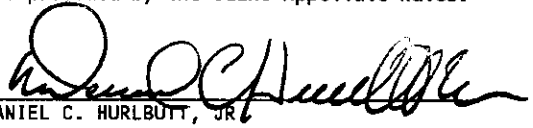
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.23 CFS
			47.8 AFY
	COMMERCIAL	01-01 12-31	0.1 CFS
			20.9 AFY

COMMERCIAL USE IS FOR A DAIRY OPERATION.

PLACE OF USE:	STOCKWATER	Within GOODING County		
	T07S R14E S01 Lot 2 (SWNE)	Lot 1 (SENE)	NESE	NWSE
	COMMERCIAL	Within GOODING County		
	T07S R14E S01	NESE		

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

1997 DEC 29 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): 36-07367C

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 36-07367C was mailed
on December 29, 1997, with sufficient first-class postage prepaid
to the following:

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

TONY VISSER
1700 E 2428 S
GOODING, ID 83330

DIANA DELANEY
Chief Deputy Clerk