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Department of Water Resources 1997 JAN -9 PM 10:11

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

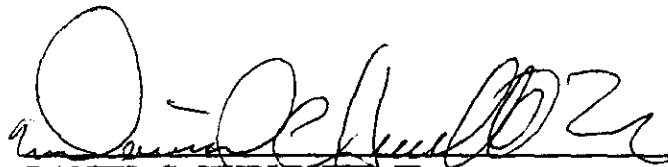
In Re SRBA	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right 36-02379
_____	)	

On November 19, 1996, 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 14a, 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 36-02379 be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED January 9, 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 17 JAN -9 PM 3:43
Water Right 36-02379
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

NAME & ADDRESS: BILLINGSLEY CREEK RANCH
2726 S 1050 E
HAGERMAN ID 83332

SOURCE: SPRINGS TRIBUTARY: BILLINGSLEY CREEK

SOURCE IS ALSO KNOWN AS HEWITT SPRINGS.

QUANTITY: 5.00 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL
NOT EXCEED 13,000 GALLONS PER DAY.
FACILITY VOLUME 0.4 AF.

PRIORITY DATE: 03/19/1959

POINT OF DIVERSION: T07S R14E S19 SWSNW Within GOODING County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	FISH PROPAGATION	01-01 12-31	5.00 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS.

PLACE OF USE:	FISH PROPAGATION	Within GOODING County
	T07S R14E S19	NENW SENW
	DOMESTIC	Within GOODING County
	T07S R14E S19	SENW

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

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

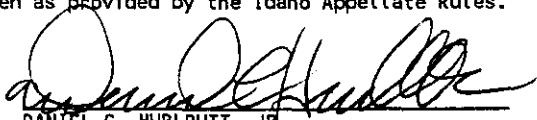
DATED: Jan. 9, 1997


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

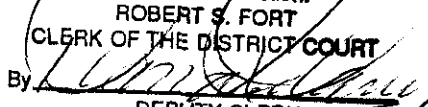
RULE 54(b) CERTIFICATE

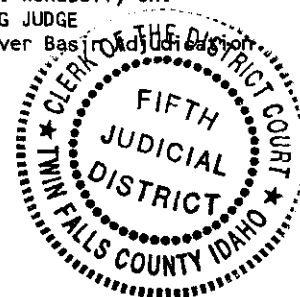
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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.

DATED: Jan. 9, 1997


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

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-02379

State of Idaho
County of Twin Falls ss.
I hereby certify the foregoing to be a full
true and correct copy of the original on
file in the above entitled action.
ROBERT S. FORT
CLERK OF THE DISTRICT COURT
By 
DEPUTY CLERK



1997 JAN -9 PM 3:48
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

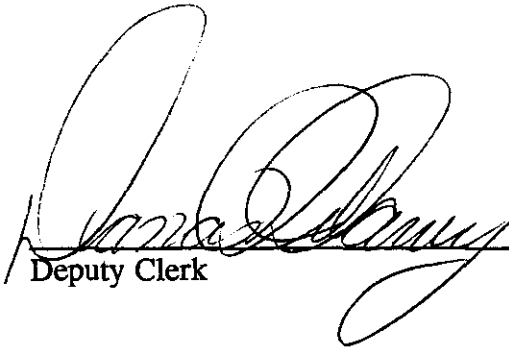
**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA	)	CERTIFICATE OF MAILING
	)	
Case No. 39576	)	For Water Right 36-02379
_____	)	

I certify that true and correct copies of the *Order on Partial Decree for Water Right 36-02379* and *Partial Decree Pursuant to I.R.C.P. 54(b) for Water Right 36-02379* were mailed on January 9, 1997, with sufficient first-class postage prepaid to the following:

Director of IDWR
P.O. Box 83720
Boise, ID 83720-0098

Billingsley Creek Ranch
Donnie McFadden
2726 South 1050 East
Hagerman, ID 83332



Deputy Clerk