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AUG 21 1998

Department of Water Resources

8-18
1998 AUG 18 AM 9:27

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

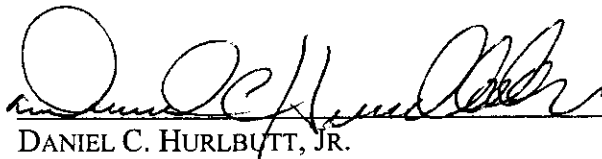
) ORDER OF PARTIAL DECREE
)
)
) For Water Right 36-15462
)
)

On June 15, 1998, 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 36-15462 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED AUG 18 1998.



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

1979 AUG 18 AM 9:27

In Re SRBA) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 36-15462

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

$\frac{d}{dt} \left(\frac{1}{2} m v^2 \right) = \frac{d}{dt} \left(\frac{1}{2} m \dot{x}^2 \right) = m \dot{x} \ddot{x}$

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

SOURCE: THREE SPRINGS TRIBUTARY: BILLINGSLEY CREEK

QUANTITY: 4.00 CFS

USE OF THIS RIGHT WITH RIGHT NOS. 36-00046 AND 36-11060 IS LIMITED TO A COMBINED DIVERSION RATE OF 3.50 CFS FROM 04-01 TO 09-30 AND TO A COMBINED DIVERSION RATE OF 4.00 CFS FOR THE REMAINDER OF THE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 36-11060 IS LIMITED TO A COMBINED DIVERSION RATE OF 4.00 CFS DURING THE NON-IRRIGATION SEASON.

PRIORITY DATE: 06/01/1977

THIS RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECEASED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN WATER RIGHTS DECEASED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.

PURSUANT TO A CALL IN TIMES OF SCARCITY, AS AMONG RIGHTS TO WATER WITH A SOURCE DESCRIBED AS THREE SPRINGS TRIBUTARY TO BILLINGSLEY CREEK, THE PRIORITY DATE FOR THIS RIGHT IS 02-18-1896 AND SHALL BE ADMINISTERED ACCORDINGLY.

POINT OF DIVERSION: T07S R14E S30 SENW Within Gooding County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Fish Propagation	04-01 TO 09-30	3.50 CFS
	Fish Propagation	10-01 TO 03-31	4.00 CFS

PLACE OF USE: Fish Propagation Within Gooding County
T07S R14E S24 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

1998 AUG 18 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	)	CERTIFICATE OF MAILING
	)	
Case No. 39576	)	
_____	)	Water Right(s): 36-15462

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 36-15462 was mailed
on August 18, 1998, with sufficient first-class postage prepaid
to the following:

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

STATE OF IDAHO
Represented by:
AMPE, PETER J
DEPUTY ATTORNEY GENERAL
PO BOX 44449
BOISE, ID 83711-4449
Phone: 208-334-2400

STATE OF IDAHO
Represented by:
CLIVE STRONG
OFFICE OF ATTORNEY GENERAL
STATE OF IDAHO
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BOISE, ID 83711-4449
Phone: 208-334-2400

CERTIFICATE OF MAILING

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BILLINGSLEY CREEK RANCH

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Phone: 208-734-0700

NORTH SNAKE GROUND WATER DIST

Represented by:

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JOHN W., JR. JONES

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DIANA DELANEY

Chief Deputy Clerk