

1998 DEC -1 PM 2:02

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Department of Water Resources
Adjudication Bureau

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

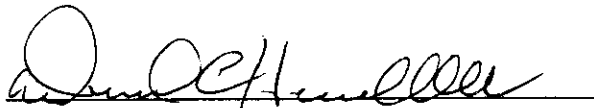
In Re SRBA)
Case No. 39576)
ORDER OF PARTIAL DECREE
For Water Right 36-15346

On October 19, 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 36-15346 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED DEC 1 1998.



DANIEL C. HURLBUTT, JR.

Presiding Judge

Snake River Basin Adjudication

1998 DEC -1 PM 2:02

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 36-15346

NAME AND ADDRESS: UNITED STATES OF AMERICA
C/O NATIONAL PARK SERVICE
PACIFIC NORTHWEST REGION
909 FIRST AVENUE
SEATTLE, WA 98104-1060

SOURCE: ALL SURFACE WATER WITHIN THE FOLLOWING AREA D:

T01S	R24E	S03	W1/2
		S04	
		S05	
		S08	
		S09	
		S10	W1/2
		S17	
		S18	
		S19	
		S20	W1/2 and W1/2 of E1/2
		S29	NW1/4 and W1/2 of NE1/4
		S30	NE1/4

QUANTITY: THE ENTIRE FLOW OF EACH SOURCE DESCRIBED IN THE SOURCE ELEMENT IN
EXCESS OF THE AMOUNT DIVERTED BY RIGHT NO. 36-15345.

PRIORITY DATE: 11/19/1962

POINT OF DIVERSION: THIS IS AN INSTREAM FLOW WATER RIGHT. THE BEGINNING AND ENDING
POINTS MAY BE ANY POINT WITHIN THE FOLLOWING AREA D:

T01S	R24E	S03	W1/2
		S04	
		S05	
		S08	
		S09	
		S10	W1/2
		S17	
		S18	
		S19	
		S20	W1/2 and W1/2 of E1/2
		S29	NW1/4 and W1/2 of NE1/4
		S30	NE1/4

PURPOSE OF USE: MONUMENT INSTREAM FLOW USES

PERIOD OF USE: 01-01 TO 12-31

PLACE OF USE: ANY PLACE WITHIN THE FOLLOWING AREA D:

T01S	R24E	S03	W1/2
		S04	
		S05	
		S08	
		S09	
		S10	W1/2
		S17	
		S18	
		S19	
		S20	W1/2 and W1/2 of E1/2
		S29	NW1/4 and W1/2 of NE1/4
		S30	NE1/4

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

THIS IS A FEDERAL RESERVE WATER RIGHT BASED ON PRESIDENTIAL PROCLAMATION NO. 3506 (NOVEMBER 19, 1962) AND FURTHER DESCRIBED IN A WATER RIGHTS AGREEMENT BETWEEN THE STATE OF IDAHO AND THE UNITED STATES FOR THE CRATERS OF THE MOON NATIONAL MONUMENT (MAY 14, 1992).

IN ACCORDANCE WITH SECTIONS 5.13 AND 5.14 OF THE 1992 AGREEMENT, THE UNITED STATES IS NOT ENTITLED TO MAINTAIN ANY SPECIFIC WATER TABLE ELEVATION IN THE SNAKE RIVER REGIONAL AQUIFER, BENEATH THE CRATERS OF THE MOON NATIONAL MONUMENT.

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 DEC 02 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): 36-15346

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 36-15346 was mailed
on December 02, 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:
CLIVE STRONG
NATURAL RESOURCES
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720-0010
Phone: 208-334-2400

U.S. NATIONAL PARK SERVICE
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

CERTIFICATE OF MAILING

DIANA DELANEY
Chief Deputy Clerk

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