

In Re SRBA) **FINAL ORDER DISALLOWING WATER**
) **RIGHT CLAIM 36-11541**
Case No. 39576)
)

The above-captioned water right was claimed as a late claim under claim 57-11541. Prior to the Idaho Department of Water Resources' (IDWR) filing a *Director's Report and Recommendation* for the claim, the water right was split administratively. The resulting split rights were then reported by IDWR in the *Director's Report for Late Claims* filed March 5, 2001, as 57-11541A and 51-11541B. Pursuant to separate SRBA proceedings on the split rights, a ***Final Order Disallowing Water Right 57-11541A*** was issued August 8, 2001, and a ***Partial Decree*** for water right 57-11541B was issued on March 12, 2002. As a result of the split, the Court finds that water right claim 57-11541 no longer exists and should be decreed disallowed.

THEREFORE IT IS ORDERED AND ADJUDGED that water right claim 36-11541 is hereby **disallowed with prejudice** and shall not be confirmed in any partial decree or in any final decree entered in the SRBA, Case No. 39576, in whatever form that final decree may take or be styled.

IT IS FURTHER ORDERED AND ADJUDGED that water rights 36-16109 and 36-11610 be decreed with the elements as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

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: FEBRUARY 28, 2003.

Roger Burdick

 ROGER S. BURDICK
 Presiding Judge
 Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the FINAL ORDER
DISALLOWING WATER RIGHT CLAIM 36-11541 was mailed on February
28, 2003, with sufficient first-class postage to the following:

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

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 36-11541

1996 DEC 10 PM 2: 27

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS: WILMA RICKERT
RT 3 BOX 85
RUPERT ID 83350

SOURCE: GROUNDWATER

QUANTITY: 0.09 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 08/01/1951

POINT OF DIVERSION: T09S R24E S05 SWNE Within MINIDOKA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.03 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.06 CFS

PLACE OF USE: STOCKWATER Within MINIDOKA County
T09S R24E S05 SWNE

DOMESTIC Within MINIDOKA County
T09S R24E S05 SWNE

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.

DATED: DEC 10 1996



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: DEC 10 1996

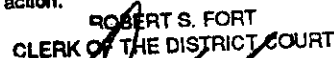


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-11541

State of Idaho ss.
County of Twin Falls
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

