

RECEIVED

AUG 21 1998

Department of Water Resources

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

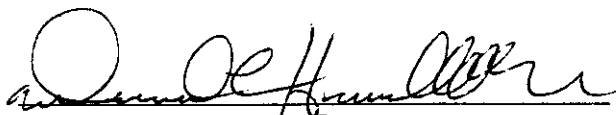
) For Water Right 36-11060

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 36-11060 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

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 36-11060

1998 AUG 13 AM 9:27

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

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

SOURCE: THREE SPRINGS

TRIBUTARY: BILLINGSLEY CREEK

QUANTITY: 4.00 CFS
1476.00 AFY

USE OF THIS RIGHT WITH RIGHT NOS. 36-00046 AND 36-15462 IS
LIMITED TO A COMBINED DIVERSION RATE OF 3.50 CFS FROM 04-01 TO
09-30 AND TO A COMBINED DIVERSION RATE OF 4.0 CFS FOR THE
REMAINDER OF THE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 36-15462 IS LIMITED TO A
COMBINED DIVERSION RATE OF 4.0 CFS DURING THE NON-IRRIGATION
SEASON.

STORAGE CAPACITY 12 AF.

PRIORITY DATE: 03/01/1971

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.

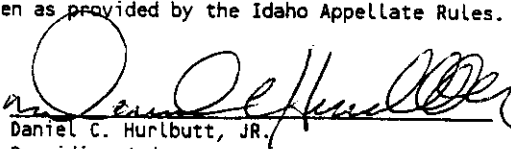
POINT OF DIVERSION: T07S R14E S30 SENW Within Gooding County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Recreation	04-01 TO 09-30	3.50 CFS
	Recreation	10-01 TO 03-31	4.00 CFS
	Recreation Storage	01-01 TO 12-31	1476.00 AFY

PLACE OF USE:	Recreation		Within Gooding County
	T07S R14E S24	NESE	
	Recreation Storage		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): 36-11060

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 36-11060 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
PO BOX 44449
BOISE, ID 83711-4449
Phone: 208-334-2400

CERTIFICATE OF MAILING

PAGE 1
08/18/98

BILLINGSLEY CREEK RANCH

Represented by:

GARY D. SLETTE

PO BOX 1906

TWIN FALLS, ID 83303

Phone: 208-734-0700

NORTH SNAKE GROUND WATER DIST

Represented by:

JOSEPHINE P. BEEMAN

BEEMAN & HOFSTETTER

608 WEST FRANKLIN STREET

PO BOX 1427

BOISE, ID 83701-1427

Phone: 208-388-8900

JOHN W., JR. JONES

Represented by:

PATRICK D. BROWN

812 SHOSHONE ST. EAST

TWIN FALLS, ID 83303

Phone: 208-735-8812

DIANA DELANEY

Chief Deputy Clerk

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 36-11060

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

SOURCE: THREE SPRINGS TRIBUTARY: BILLINGSLEY CREEK

QUANTITY: 4.00 CFS
1476.0 AFY

USE OF THIS RIGHT WITH RIGHT NOS. 36-00046 AND 36-15462 IS
LIMITED TO A COMBINED DIVERSION RATE OF 3.50 CFS FROM 04-01 TO
09-30 AND TO A COMBINED DIVERISON RATE OF 4.00 CFS FOR THE
REMAINDER OF THE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 36-15462 IS LIMITED TO A
COMBINED DIVERSION RATE OF 4.00 CFS DURING THE NON-IRRIGATION
SEASON.

STORAGE CAPACITY 12 AF.

PRIORITY DATE: 03/01/1971

AS AMONG RIGHTS TO WATER WITH A SOURCE DESCRIBED AS THREE
SPRINGS TRIBUTARY TO BILLINGSLEY CREEK, THIS RIGHT WILL BE
ADMINISTERED AS IF THE PRIORITY DATE OF THE RIGHT WERE
02-18-1896.

POINT OF DIVERSION: T07S R14E S30 SENW Within GOODING County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	RECREATION	04-01 09-30	3.5 CFS
	RECREATION	10-01 03-31	4.00 CFS
	RECREATION STORAGE	01-01 12-31	1476.0 AFY

PLACE OF USE:	RECREATION	Within GOODING County
	T07S R14E S24	NESE
	RECREATION STORAGE	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