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Department of Water Resources
Adjudication Bureau

1997 MAY -2 AM 8:16

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 34-00961

On March 11, 1997, 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 34-00961 be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED May 2, 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
Water Right 34-00961

1997 MAY -2 AM 8:16
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO

NAME & ADDRESS: JOHN L POWERS
PO BOX 493
MACKAY ID 83251

SOURCE: WASTE WATER TRIBUTARY: SINKS

QUANTITY: 0.8 CFS

USE OF THIS RIGHT WITH THE RECREATION STORAGE PORTION OF RIGHT
NO. 34-00959 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION
VOLUME OF 32 AF.
STORAGE CAPACITY OF THE POND IS 25 AF.

PRIORITY DATE: 04/04/1912

POINT OF DIVERSION: T07N R24E S29 SWSESE Within CUSTER County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	RECREATION STORAGE	01-01 12-31	32.0 AFY
	DIVERSION TO STORAGE	01-01 12-31	0.8 CFS
	PRIVATE RECREATION POND		

PLACE OF USE: RECREATION STORAGE Within CUSTER County
T07N R24E S28 SWSW

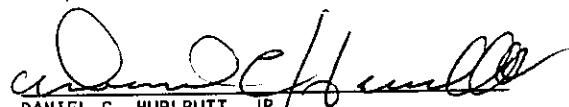
DATED: MAY 2 1997


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

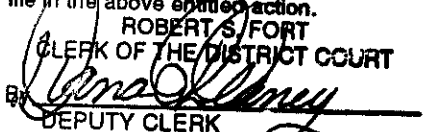
RULE 54(b) CERTIFICATE

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: MAY 2 1997


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

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 34-00961

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

