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SEP 15 1997

Department of Water Resources
Adjudication Bureau

1997 SEP -9 AM 9: 47

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

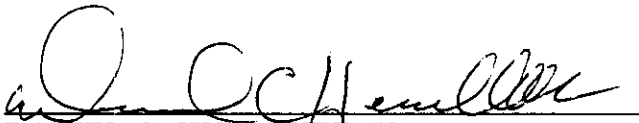
In Re SRBA	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right 34-07073
_____	)	

On May 14, 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 34-07073 be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED September 9, 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 34-07073

1997 SEP -9 AM 9:48
DISTRICT COURT-SNDA
TWIN FALLS CO, IDAHO
FILED

NAME & ADDRESS: CITY OF MACKAY
PO BOX 509
MACKAY ID 83251

SOURCE: GROUNDWATER

QUANTITY: 0.88 CFS

PRIORITY DATE: 06/18/1974

POINT OF DIVERSION: T07N R24E S28 SENWNW

Within CUSTER County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE
MUNICIPAL

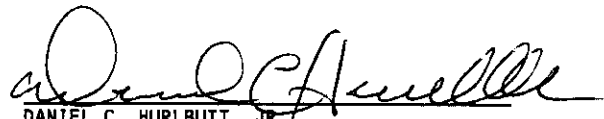
PERIOD OF USE
01-01 12-31

QUANTITY
0.88 CFS

PLACE OF USE:

PLACE OF USE IS LANDS WITHIN CITY LIMITS OF THE CITY OF
MACKAY.

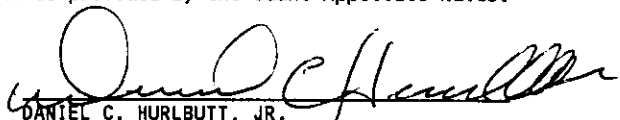
DATED: SEP 09 1997


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

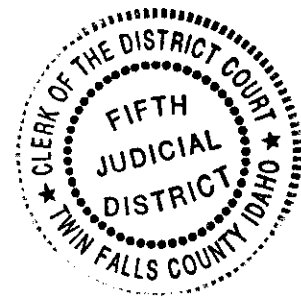
RULE 54(b) CERTIFICATE

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: SEP 09 1997


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

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



PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 34-07073

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AUG-12-1997