

NOV - 8 2001

Department of Water Resources

2001 NOV -7 PM 3: 53

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

FILED 11-7-01

In Re SRBA	)	Subcase 34-12869A
	)	
Case No. 39576	)	FINAL ORDER DISALLOWING WATER
_____	)	RIGHT

On March 27, 1998, a *Special Master's Report and Recommendation* was filed for the above water right claim recommending that it not be confirmed in any partial or final decree and that the claim be dismissed with prejudice. No challenges were filed to the *Special Master's Report and Recommendation* and the time for filing challenges has 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 AND ADJUDGED that water right claim 34-12869A 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.

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 11-7-01

Roger S. 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 was mailed on November 27, 2001, FWD-153
sufficient first-class postage to the following:

DIST. CLERK
STATE OF IDAHO
BOISE, IDAHO
FILED 01

STATE OF IDAHO

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