

NOV - 8 2001

Department of Water Resources

2001 NOV -7 PM 3: 52

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

FILED RS

In Re SRBA

Subcase 34-12634A

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 34-12634A 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

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 07 2001, 52 with
sufficient first-class postage to the following:

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED 70

STATE OF IDAHO

Represented by:

CLIVE STRONG

NATURAL RESOURCES

DEP AG OFFICE OF ATTY GEN

STATEHOUSE MAIL

BOISE, ID 83720-0010

Phone: 208-334-2400

USDI BLM

Represented by:

US DEPARTMENT OF JUSTICE

ENVIRONMENT & NATL' RESOURCES

550 WEST FORT STREET, MSC 033

BOISE, ID 83724

Phone: 208-387-0835

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

MITCHELL D SORENSEN

RT 1 BOX 63-A

ROUTE 1 BOX 63C-1

MOORE, ID 83255