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MAR 13 1997

Department of Water Resources  
Adjudication Bureau

1997 MAR -7 PM 4:32  
DISTRICT COURT-2ND  
TWIN FALLS COUNTY, 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 34-12574

On January 10, 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 34-12574 be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED March 6<sup>th</sup>, 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 34-12574  
DISTRICT COURT  
TWIN FALLS, IDAHO  
FILED \_\_\_\_\_

NAME & ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH  
USDI BUREAU OF LAND MANAGEMENT  
IDAHO STATE OFFICE  
1387 S VINNELL WAY  
BOISE ID 83709

SOURCE: SPRING TRIBUTARY: THOUSAND SPRINGS CREEK

QUANTITY: 0.01 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000  
GALLONS PER DAY.

PRIORITY DATE: 01/01/1884

PURSUANT TO A CALL IN TIMES OF SCARCITY, THIS RIGHT IS JUNIOR  
TO WATER RIGHT NOS. 34-00030, 34-00103, 34-00139, 34-00142,  
34-00145, 34-00208A, 34-00208B, 34-00334, 34-00335, 34-00336,  
34-00347, 34-00611B, 34-00612B, 34-00613B, 34-00633, 34-00637E,  
34-10532, 34-10553, 34-10555, 34-10557, 34-10558, 34-10563,  
34-10619, 34-10620, AND 34-10635.

POINT OF DIVERSION: T09N R22E S22 NWSWSW Within CUSTER County

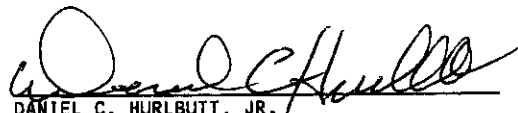
| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE | QUANTITY |
|-------------------------------|----------------|---------------|----------|
|                               | STOCKWATER     | 01-01 12-31   | 0.01 CFS |

PLACE OF USE: STOCKWATER Within CUSTER County  
T09N R22E S22 SWSW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A  
DETERMINATION OF HISTORICAL BENEFICIAL USE.

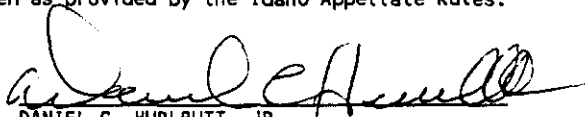
DATED: MAR 7 1997

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

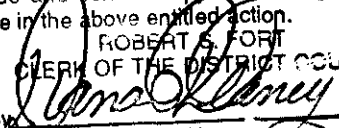
RULE 54(b) CERTIFICATE

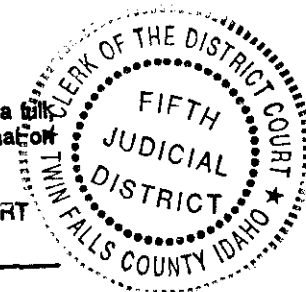
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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: MAR 7 1997

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

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)  
Water Right 34-12574

State of Idaho  
County of Twin Falls ss.  
I hereby certify the foregoing to be a true  
true and correct copy of the original  
file in the above entitled action.  
ROBERT S. FORT  
CLERK OF THE DISTRICT COURT  
By   
DEPUTY CLERK



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