

1998 DEC -1 PM 2:03
FILED
TWIN FALLS, IDAHO

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

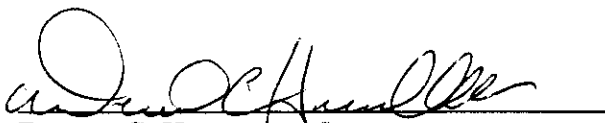
In Re SRBA	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right 34-12385/36-15344
_____	)	

On October 19, 1998, 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 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 that water right 34-12385/36-15344 is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED DEC 1 1998.


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

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17-SRBA
TWIN FALLS CO., IDAHO
FILED

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 34-12385/36-15344

NAME AND ADDRESS: UNITED STATES OF AMERICA
C/O NATIONAL PARK SERVICE
PACIFIC NORTHWEST REGION
909 FIRST AVENUE
SEATTLE, WA 98104-1060

SOURCE: ALL SURFACE WATER AND GROUND WATER SOURCES ARISING ON, OCCURRING
ON, OR UNDER THE FOLLOWING AREA B:

T01N R24E S03
S10
S15
S22
S26
S27
S34
S35
S36

T01N R25E S03
S04
S09
S10
S15
S16
S22
S23
S24
S25
S26
S27
S36

T02N R24E S25
S26
S27
S34

T02N R25E S27
S28
S29
S30
S32
S33
S34

T01S	R25E	S01	
		S12	
		S13	
		S21	N1/2
		S22	N1/2
		S23	N1/2
		S24	N1/2

QUANTITY: USE OF THIS RIGHT WITH WATER RIGHT NOS. 34-12383/36-15342, 34-12388, 36-15345, AND 34-13586 IS LIMITED TO A TOTAL COMBINED DIVERSION VOLUME OF 54.5 AFY

PRIORITY DATE: 07/23/1928

POINT OF DIVERSION: THE POINTS OF DIVERSION FOR THIS RIGHT MAY BE AT ANY POINT WITHIN THE FOLLOWING AREA B:

T01N	R24E	S03	
		S10	
		S15	
		S22	
		S26	
		S27	
		S34	
		S35	
		S36	

T01N	R25E	S03	
		S04	
		S09	
		S10	
		S15	
		S16	
		S22	
		S23	
		S24	
		S25	
		S26	
		S27	
		S36	

T02N	R24E	S25	
		S26	
		S27	
		S34	

T02N	R25E	S27	
		S28	
		S29	
		S30	
		S32	
		S33	
		S34	

T01S	R25E	S01	
		S12	
		S13	
		S21	N1/2
		S22	N1/2
		S23	N1/2
		S24	N1/2

PURPOSE OF USE: MONUMENT DOMESTIC, MONUMENT IRRIGATION, AND MONUMENT
COMMERCIAL

PERIOD OF USE: 01-01 TO 12-31

PLACE OF USE: ANY PLACE WITHIN THE BOUNDARIES OF THE CRATERS OF THE MOON NATIONAL
MONUMENT.

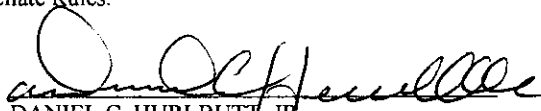
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS IS A FEDERAL RESERVE WATER RIGHT BASED ON PRESIDENTIAL
PROCLAMATION NO. 1843 (JULY 23, 1928) AND FURTHER DESCRIBED IN A WATER
RIGHTS AGREEMENT BETWEEN THE STATE OF IDAHO AND THE UNITED STATES
FOR THE CRATERS OF THE MOON NATIONAL MONUMENT (MAY 14, 1992).

IN ACCORDANCE WITH SECTIONS 5.13 AND 5.14 OF THE 1992 AGREEMENT, THE
UNITED STATES IS NOT ENTITLED TO MAINTAIN ANY SPECIFIC WATER TABLE
ELEVATION IN THE SNAKE RIVER REGIONAL AQUIFER, BENEATH THE CRATERS
OF THE MOON NATIONAL MONUMENT.

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.


DANIEL C. HURLBUT, JR.
Presiding Judge
Snake River Basin Adjudication

1998 DEC 02 PM 02:00
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	)	CERTIFICATE OF MAILING
	)	
Case No. 39576	)	
_____	)	Water Right(s) : 34-12385

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 34-12385 was mailed
on December 02, 1998, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

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

U.S. NATIONAL PARK SERVICE
US DEPARTMENT OF JUSTICE
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

CERTIFICATE OF MAILING

PAGE 1
DIANA DELANEY 12/02/98
Chief Deputy Clerk

1998 DEC 02 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
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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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 36-15344

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 36-15344 was mailed
on December 02, 1998, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

STATE OF IDAHO
Represented by:
CLIVE STRONG
NATURAL RESOURCES
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
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CERTIFICATE OF MAILING

DIANA DELANEY
Chief Deputy Clerk

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12/02/98