

1998 MAR -2 AM 10: 51
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 34-10807
_____	)	

On January 13, 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 34-10807 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED March 2, 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

In Re SRBA)
)
Case No. 39576)
)
)
)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 34-10807

1998 MAR -2 AM 10: 51

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS: MARK T GATES TRUSTEE
ELIZABETH W GATES TRUSTEE
700 EMERSON ST
PALO ALTO CA 94301

WARD W WOODS
PRISCILLA B WOODS
C/O MARK T GATES
700 EMERSON ST
PALO ALTO CA 94301

SOURCE: THOUSAND SPRINGS TRIBUTARY: THOUSAND SPRINGS CREEK
QUANTITY: 0.19 CFS

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

PRIORITY DATE: 03/16/1923

POINT OF DIVERSION: T09N R21E S01 NWNW Within CUSTER County
S02 NENE
T10N R21E S35 SWNE
SENE
SWNW
SENW
NESE
SESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.19 CFS

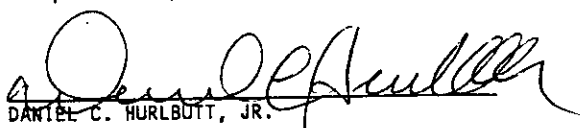
PLACE OF USE:	STOCKWATER	Within CUSTER County			
	T09N R21E S01	NWNW			
	S02	NENE			
	T10N R21E S35	SWNE	SENE	SWNW	SENW
		NESE	SESE		

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.

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. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 34-10807

PAGE 1
JAN-8-1998

1998 MAR 02 PM 02:00
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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
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In Re SRBA)
)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 34-10807

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 34-10807 was mailed
on March 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
OFFICE OF ATTORNEY GENERAL
STATE OF IDAHO
PO BOX 44449
BOISE, ID 83711-4449
Phone: 208-334-2400

WARD AND PRISCILLA WOODS
Represented by:
JAMES P. SPECK
PO BOX 987
KETCHUM, ID 83340
Phone: 208-726-4421

CERTIFICATE OF MAILING

PAGE 1
03/02/98

USDI BLM

Represented by:

U.S. DEPT. OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
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Phone: 208-387-0835

JOLENE ZOLLINGER
BRET L ZOLLINGER
STAR ROUTE
MACKAY, ID 83251

DIANA DELANEY
Chief Deputy Clerk