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Department of Water Resources
Adjudication Bureau

2001 JUN -6 PM 3:09

DISTRICT COURT - SRBA
TWIN FALLS, 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 33-07207

On February 15, 2001, 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 33-07207 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED JUN 06 2001



ROGER S. BURDICK
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)
) PARTIAL DECREE PURSUANT TO
Case No. 39576) I.R.C.P. 54(b) FOR
) Water Right 33-07207

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DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
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NAME AND ADDRESS: STATE OF IDAHO
IDAHO WATER RESOURCE BOARD
STATEHOUSE
BOISE, ID 83720

SOURCE: WET CREEK TRIBUTARY: LITTLE LOST RIVER

QUANTITY: 15.00 CFS

PRIORITY DATE: 04/20/1992

POINT OF DIVERSION: T09N R27E S04 SWNE (Instream Ending Point) Within Butte County
T10N R26E S33 SESE (Instream Beginning Point)
S36 NESE (Instream Ending Point)
NESE (Instream Beginning Point)

THE UPPER REACH OF THIS MINIMUM STREAM FLOW BEGINS IN T10N,
R26E, S33, AND RUNS TO THE POINT WHERE WATER FROM DRY CREEK IS
INJECTED INTO WET CREEK IN T10N, R26E, S36, NESE; THE LOWER REACH
RUNS FROM THIS POINT TO T09N, R27E, S04 SWNE.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Minimum Stream Flow	01-01 TO 12-31	10.00 CFS
	Minimum Stream Flow	10-01 TO 05-01	4.00 CFS
	Minimum Stream Flow	05-02 TO 09-30	15.00 CFS

USE OF WATER UNDER THIS RIGHT SHALL BE NON-CONSUMPTIVE.
QUANTITY IN THE UPPER REACH IS 10.0 CFS.
QUANTITY IN THE LOWER REACH (10-01 TO 5-01) IS 4.0 CFS.
QUANTITY IN THE LOWER REACH (5-02 TO 9-30) IS 15.0 CFS.

PLACE OF USE: THE PLACE OF USE IS WITHIN THE REACH BETWEEN THE BEGINNING
INSTREAM POINT AND THE ENDING INSTREAM POINT DESCRIBED FOR THE
POINTS OF DIVERSION.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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.

A handwritten signature in black ink, appearing to read "R. Burdick", is written over a horizontal line.

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

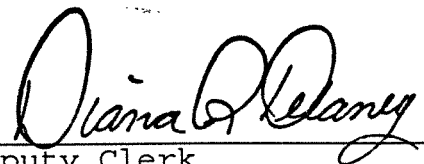
CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREE was mailed on June 06, 2001, with sufficient first-class postage to the following:

IDAHO WATER RESOURCE BOARD
OFFICE OF THE ATTORNEY GENERAL
STATE OF IDAHO

Represented by:
PETER J. AMPE
PO BOX 83720
BOISE, ID 83720-0010
Phone: 208-334-2400

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

A handwritten signature in cursive script, reading "Diana A. Delaney", is written over a horizontal line.