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Department of Water Resources
Adjudication Bureau

1998 DEC -1 PM 2:04

FILED
175333

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

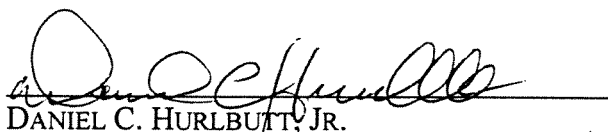
) For Water Right 33-10171

On October 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 33-10171 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

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 33-10171

1998 DEC -1 PM 2:04

FILED
TWIN FALLS, IDAHO

NAME AND ADDRESS: USDA FOREST SERVICE
550 W FORT ST, MSC 033
BOISE, ID 83724

SOURCE: LONG LOST CREEK TRIBUTARY: DRY CREEK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 05/01/1884

POINT OF DIVERSION: T08N R24E S14 NWSE (Instream Beginning Point) Within Custer County
T09N R24E S13 NENW (Instream Ending Point)

T09N R24E S13 LISTED ABOVE IS ACTUALLY T09N R24-1/2E S13.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	06-01 TO 10-31	0.02 CFS

PLACE OF USE:	Stockwater		Within Custer County
	T08N R24E S02	NESW	NWNE
		NWSW	SENE
		SWNE	SWSW
	S10	NESE	SENE
		NENE	
	S11	NWNW	NWSW
		SESW	SWSW
	S14	NWSE	SENE
		SWNE	NENW
	T09N R24E S24	NESE	SESE
	S25	NENE	NESE
		NWSE	SENE
		SWSE	
	S36	NESW	NWNE
		NWSE	SENE
		SESW	SWNE

THE PLACE OF USE LISTED ABOVE ALSO INCLUDES T09N R24-1/2E
S13 LOT 1 (NENW), LOT 2 (SENE), LOT 3 (NESW), LOT 4 (SESW)
S24 LOT 1 (NENW), LOT 2 (SENE), LOT 3 (NESW).

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.

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): 33-10171

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 33-10171 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

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

DIANA DELANEY
Chief Deputy Clerk