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NOV 06 1998

Department of Water Resources

1998 NOV -5 AM 8:34

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 32-10084 |
| _____          | ) |                          |

On September 30, 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 32-10084 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED NOV 5 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 32-10084

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DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
FILED

NAME AND ADDRESS: INDIAN CREEK CATTLE & SHEEP  
DUBOIS, ID 83423

SOURCE: GROUNDWATER

QUANTITY: 0.18 CFS

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

PRIORITY DATE: 06/01/1940

POINT OF DIVERSION: T12N R34E S22 SWNWSW Within Clark County

PURPOSE AND

| PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|----------------|----------------|----------------|----------|
|                | Stockwater     | 04-01 TO 12-01 | 0.18 CFS |

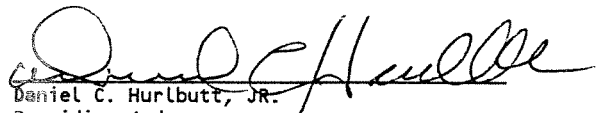
| PLACE OF USE: | Stockwater                  | Within Clark County |
|---------------|-----------------------------|---------------------|
|               | T11N R34E S03 LOT 03 (NENW) | NWSE                |
|               | S10 SENW                    | SWSE                |
|               | T12N R34E S21 SWNE          |                     |
|               | S26 NWNE                    | NWNW                |
|               | NWSW                        |                     |
|               | S33 NESW                    | SESW                |

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

1998 NOV 05 PM 02:00  
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FILED \_\_\_\_\_

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In Re SRBA )

CERTIFICATE OF MAILING

Case No. 39576 )  
\_\_\_\_\_ )

Water Right(s): 32-10084

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 32-10084 was mailed  
on November 05, 1998, with sufficient first-class postage prepaid  
to the following:

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

USDI BLM

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

INDIAN CREEK CATTLE & SHEEP  
C/O HC 61 BOX 1110  
DUBOIS, ID 83423  
Phone: 208-374-5442

DIANA DELANEY  
Chief Deputy Clerk

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) ORDER OF PARTIAL DECREE

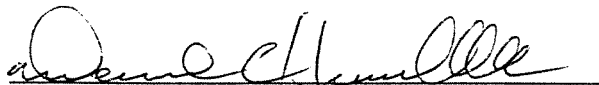
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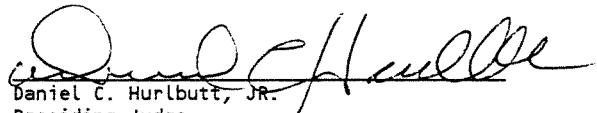
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