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Department of Water Resources
Adjudication Bureau

1998 DEC -1 PM 2:06

FILED
TWIN FALLS, IDAHO
SRBA

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

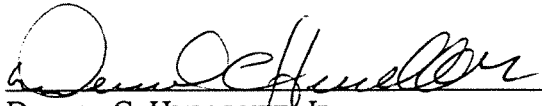
In Re SRBA	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right 32-10080
_____	)	

On October 28, 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 32-10080 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

1998 DEC -1 PM 2:06

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

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

Water Right 32-10080

SRBA
TWIN FALLS, IDAHO

NAME AND ADDRESS: SMALL RANCHES
C/O LELAND SMALL
STAR RT
DUBOIS, ID 83423

SOURCE: MIDDLE CREEK TRIBUTARY: MEDICINE LODGE CREEK
INDIAN CREEK MEDICINE LODGE CREEK
MEDICINE LODGE CREEK SINKS

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 04/15/1893

POINT OF DIVERSION: T11N R34E S15 NWSWN (Instream Beginning Point) Within Clark County
SESESE (Instream Ending Point)
S23 SENESE (Instream Ending Point)
NWNWNW (Instream Beginning Point)
SESESE (Instream Ending Point)
S24 NENWNW (Instream Beginning Point)

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Stockwater 04-15 TO 11-30 0.02 CFS

PLACE OF USE: Stockwater Within Clark County
T11N R34E S15 SWNW SENW
NESW NWSE
SWSE SESE
S23 NWNE SWNE
NENW NWNW
NESE NWSE
SESE
S24 NWNW SWNW
NWSW

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 DEC 01 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): 32-10080

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 32-10080 was mailed
on December 01, 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

SMALL RANCHES
C/O LELAND SMALL
STAR RT
DUBOIS, ID 83423
Phone: 208-374-5439

DIANA DELANEY
Chief Deputy Clerk