

2002 NOV 4 PM 3 50

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 Rights (See Exhibit A)

On September 12, 2002, a *Special Master's Report and Recommendation* was filed for the above water rights. 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 rights listed above are hereby **decreed** as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED November 4, 2002



ROGER S. BURDICK

Presiding Judge

Snake River Basin Adjudication

STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

Water Right 85-11839

PORTLAND, OR 97208-3621

TRIBUTARY: CAPTAIN JOHN CREEK, SOUTH FORK

0.02 CFS

GALLONS PER DAY.

12/31/1900

(Instream Ending Point)

0.02 CFS

Within Nez Perce County

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

DETERMINATION OF HISTORICAL BENEFICIAL USE

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.

Snake River Basin Adjudication

EXHIBIT A

Subcase Nos:

|          |          |
|----------|----------|
| 85-11812 | 85-11869 |
| 85-11813 | 85-11870 |
| 85-11814 | 85-11871 |
| 85-11815 | 85-11872 |
| 85-11816 | 85-11873 |
| 85-11817 | 85-11874 |
| 85-11818 | 85-11875 |
| 85-11820 | 85-11876 |
| 85-11821 | 85-11877 |
| 85-11822 | 85-11878 |
| 85-11823 | 85-11879 |
| 85-11824 | 85-11880 |
| 85-11825 | 85-11881 |
| 85-11826 | 85-11882 |
| 85-11827 | 85-11883 |
| 85-11828 | 85-11884 |
| 85-11829 | 85-11885 |
| 85-11831 | 85-11886 |
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| 85-11841 |          |
| 85-11842 |          |
| 85-11845 |          |
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| 85-11851 |          |
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| 85-11864 |          |
| 85-11865 |          |
| 85-11866 |          |
| 85-11867 |          |
| 85-11868 |          |

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREE was mailed on November 04, 2002, with sufficient first-class postage to the following:

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Represented by:  
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