

SEP 12 11:13:10
DISTRICT COURT - IDAHO
TWIN FALLS

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 85-11165
)
_____)

On July 31, 2002, 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 85-11165 is hereby **decreed** as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED September 12, 2002



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

07/31/2002

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

AMENDED

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 85-11165

SEP 12 AM 11:10

DISTRICT COURT-CRBA
TWIN FALLS, IDAHO

NAME AND ADDRESS: NORMA M CLAUSEN
1612 CEDAR AVE
LEWISTON ID 83501

SOURCE: MISSION CREEK TRIBUTARY: LAPWAI CREEK

QUANTITY: 0.020 CFS
THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 06/01/1895

POINT OF DIVERSION: Within LEWIS and NEZ PERCE Counties

T34N R03W S22 NENWNW End of Stream Flow
T34N R03W S27 SESWNE Begin of Stream Flow
T34N R03W S27 NWNESE End of Stream Flow
T34N R03W S34 SENENE Begin of Stream Flow

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

STOCKWATER

01/01 12/31

0.020 CFS

PLACE OF USE:

Within LEWIS and NEZ PERCE Counties

T34N R03W S22	NWNE	T34N R03W S22	SWNE
T34N R03W S22	NENW	T34N R03W S22	NWNW
T34N R03W S22	SWNW	T34N R03W S22	SENW
T34N R03W S22	NESW	T34N R03W S22	NWSW
T34N R03W S22	SWSW	T34N R03W S22	SESW
T34N R03W S22	NWSE	T34N R03W S22	SWSE
T34N R03W S26	NWSW	T34N R03W S26	SWSW
T34N R03W S27	NENE	T34N R03W S27	NENE
T34N R03W S27	NWNE	T34N R03W S27	SWNE
T34N R03W S27	SWNE	T34N R03W S27	SENE
T34N R03W S27	NESE	T34N R03W S27	NWSE
T34N R03W S27	SESE	T34N R03W S34	NENE
T34N R03W S35	NWNW		

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. SECTION 42-1412(6), IDAHO CODE.

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 issue 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 judgement 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.



ROGER BURDICK
Administrative District Judge
Presiding Judge of the Snake
River Basin Adjudication

2002 SEP 12 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): 85-11165

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 85-11165 was mailed
on September 12, 2002, 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

NORMA M CLAUSEN
1612 CEDAR AVE
LEWISTON, ID 83501
Phone: 208-746-5206

ROBBIN GLATZ
Chief Deputy Clerk