

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 51-12374

2003 NOV 21 AM 9:07

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS:

USDI BLM
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE, ID 83709-1657

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NOV 24 2003

Department of Water Resources

SOURCE:

POISON CREEK TRIBUTARY: JARBIDGE RIVER
UNNAMED STREAM TRIBUTARY: POISON CREEK

QUANTITY:

0.02 CFS

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

PRIORITY DATE:

06/28/1934

POINT OF DIVERSION:

T16S R09E S01	NWNE	(Instream Ending Point)	Within Owyhee County
	NENW	(Instream Beginning Point)	
	NENW	(Instream Ending Point)	
R10E S28	NESWS	(Instream Ending Point)	
S32 LOT 1	(SWNE)	(Instream Beginning Point)	
S33 LOT 4	(SWNNW)	(Instream Beginning Point)	

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Stockwater	01-01 TO 12-31	0.02 CFS

PLACE OF USE:

Stockwater		Within Owyhee County
T16S R09E S01	NENE	NWNE
	NENW	
R10E S06 LOT 2	(NWNW)	LOT 3 (NWNW)
LOT 5	(SWNW)	LOT 6 (SENW)
LOT 7	(NESW)	LOT 12 (SESW)
	SWSE	
S07	NENE	NWNE
	SENE	
S08	SWNW	NESW
	NWSW	SESW
S17	SWNE	NENW
	SENW	NWSE
	SWSE	SESE
S20	NENE	SENE
	NESE	SESE
S28	NWNW	SWNW
	NWSW	SWSW
S29	NENE	SESE
S32 LOT 1	(NENE)	
S33 LOT 4	(NWNW)	

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.

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. I.C. SECTION 42-1412(6).

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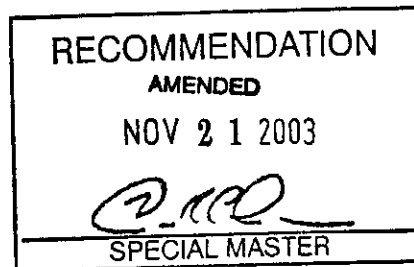
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

Department of Water Resources

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.

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication



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2003 NOV 21 AM 9:08

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TWIN FALLS, IDAHO
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In Re SRBA

) SUBCASES: See Attached Exhibit A

Case No. 39576

) CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT AND AMENDED RECOMMENDATIONS FOR AMENDED PARTIAL DECREES and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND AMENDED RECOMMENDATIONS were mailed November 21, 2003, with sufficient first-class postage to the following:

Director of IDWR
P O Box 83720
Boise, Idaho 83720-0098

United States of America
Department of Justice
550 West Fort Street, MSC 033
Boise, Idaho 83724

State of Idaho
Office of the Attorney General
P O Box 44449
Boise, Idaho 83711-4449

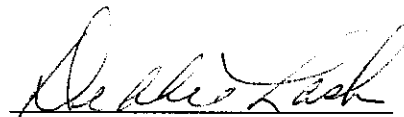

Deputy Clerk

EXHIBIT A

Subcase Nos:

51-11969
51-11971
51-11972
51-11974
51-11975
51-11976
51-12013
51-12079
51-12349
51-12350
51-12372
51-12374
51-12433
51-12434
51-12436
51-12442
51-12443
51-12448
51-12502

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Department of Water Resources

(Subcase list: 51CUSHMAN)
11/21/03

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) SUBCASE: See Attached Exhibit A

Case No. 39576

) NOTICE OF ISSUANCE
)
)
)

On November 21, 2003, special Master THOMAS R. CUSHMAN issued a **SPECIAL MASTER'S REPORT AND AMENDED RECOMMENDATION** for the above subcase(s) pursuant to **SRBA Administrative Order 1 (AO1)**, Section 13a.

Pursuant to **SRBA Administrative Order 1**, section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend by the 28th day of the month following the publication of the filing of the **Special Master's Report and Amended Recommendation** in the Docket Sheet (**AO1**, Section 13a).

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the **Special Master's Report and Amended Recommendation** shall constitute a waiver of the right to challenge it before the Presiding Judge.

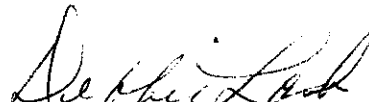

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