

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

AMENDED

DISTRICT COURT - SRBA  
TWIN FALLS CO. IDAHO  
FILED                     

2006 FEB 10 AM 9 08

In Re SRBA

Case No. 39576

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

Water Right 29-13032

NAME AND ADDRESS: UNITED STATES OF AMERICA  
USDI BUREAU OF LAND MANAGEMENT  
IDAHO STATE OFFICE  
1387 S VINNELL WAY  
BOISE, ID 83709-1657

SOURCE: SPRING TRIBUTARY: SINKS

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 04/17/1926

WATER RIGHT IS CLAIMED BASED ON FEDERAL LAW WITH AN APRIL 17,  
1926, DATE OF PRIORITY PURSUANT TO AN EXECUTIVE ORDER SIGNED  
THE SAME DATE AND KNOWN AS PUBLIC WATER RESERVE 107.

POINT OF DIVERSION: T07S R36E S03 LOT 8 (NWSESE) Within Bannock County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Stockwater     | 01-01 TO 12-31 | 0.02 CFS |

PLACE OF USE: Stockwater Within Bannock County  
T07S R36E S03 LOT 8 (SESE)

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).

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.

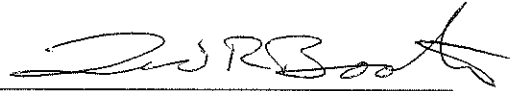
John M. Melanson  
Presiding Judge of the  
Snake River Basin Adjudication



## II. CONCLUSIONS OF LAW

Therefore based on the file and record herein, IT IS RECOMMENDED that amended partial decrees be issued for the above-captioned water rights with the elements as set forth in the attached *Recommendations for Partial Decrees Pursuant to I.R.C.P. 54(b)*.

Dated February 9, 2006

A handwritten signature in black ink, appearing to read 'Theodore R. Booth', is written over a horizontal line.

Theodore R. Booth  
Special Master  
Snake River Basin Adjudication

EXHIBIT A

Subcase Nos:

29-12687  
29-13027  
29-13028  
29-13029  
29-13030  
29-13031  
29-13032  
29-13033  
29-13034  
29-13038

DISTRICT COURT-SRBA  
TWIN FALLS CO IDAHO  
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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
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In Re SRBA

Case No. 39576

CERTIFICATE OF MAILING

Water Right(s): 29-12687

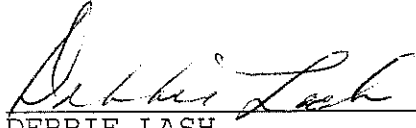
|          |          |          |
|----------|----------|----------|
| 29-13027 | 29-13028 | 29-13029 |
| 29-13030 | 29-13031 | 29-13032 |
| 29-13033 | 29-13034 | 29-13038 |

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on February 10, 2006, with sufficient first-class postage prepaid to the following:

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

UNITED STATES OF AMERICA  
USDI BUREAU OF LAND MANAGEMENT  
IDAHO STATE OFFICE  
1387 S VINNELL WAY  
BOISE, ID 83709-1657  
Phone: 208-373-4000

  
DEBBIE LASH  
Deputy Clerk

CERTIFICATE OF MAILING

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Case No. 39576 )  
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      Water Right(s) : 29-12687
29-13027    29-13028    29-13029
29-13030    29-13031    29-13032
29-13033    29-13034    29-13038

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DEBBIE LASH  
Deputy Clerk