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

CIVIL CASE NUMBER: 39576

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER
FROM THE SNAKE RIVER BASIN WATER SYSTEM

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

A78-04279

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706
TELEPHONE: 208-334-1401

PRIORITY DATE: 1956-12-19
IDWR NUMBER: 7804279
BLM NUMBER: 7806588001
BASIS OF CLAIM: STATUTORY
BASIN NUMBER: 78

SOURCE	TRIBUTARY TO
UNNAMED STREAM	SHEEP CREEK

DESCRIPTION OF DIVERSION WORKS

DAM & POND

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
STOCKWATER STORAGE	0.000	0.02	0601	1101
STOCKWATER FROM STORAGE	0.000	0.02	0601	1101
WILDLIFE STORAGE	0.000	0.01	0101	1231
WILDLIFE FROM STORAGE	0.000	0.01	0101	1231
TOTAL:	0.000 CFS	0.03 AF		

NON-IRRIGATION USES

STOCKWATER; WILDLIFE VAR. AMT.

				POINT OF DIVERSION			
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
23N	01E	15		NE	SE	00	IDAHO

PLACE OF USE

TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY	IRRIGATED OWNED	ACRES
23N	01E	15	NE	SE	00	IDAHO	YES	0.0

MICROFILMED

AUG 08 1994

BLM NUMBER: 7806588001

PAGE: 2

23N	01E	15	NE	SE	00	IDAHO	YES	0.0
23N	01E	15	NE	SE	00	IDAHO	YES	0.0
23N	01E	15	NE	SE	00	IDAHO	YES	0.0

TOTAL ACRES IRRIGATED: 0.0

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

OTHER WATER RIGHTS

NONE

REMARKS

PREVIOUSLY FILED WITH THE DEPARTMENT OF WATER RESOURCES

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 78-04279

2004 SEP 29 PM 4:31
DISTRICT COURT - SRBA
TWIN FALLS CO, IDAHO
FILED

NAME AND ADDRESS: USDI BLM
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE, ID 83709-1657

SOURCE: SPRING TRIBUTARY: SHEEP CREEK

QUANTITY: 0.03 APY

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

PRIORITY DATE: 12/19/1956

POINT OF DIVERSION: T23N R01E S15 NENESE Within Idaho County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater Storage	06-01 TO 11-01	0.02 APY
	Stockwater from Storage	06-01 TO 11-01	0.02 APY
	Wildlife Storage	01-01 TO 12-31	0.01 APY
	Wildlife from Storage	01-01 TO 12-31	0.01 APY

PLACE OF USE:	Stockwater Storage		Within Idaho County
	T23N R01E S15	NESE	
	Stockwater from Storage		Within Idaho County
	T23N R01E S15	NESE	
	Wildlife Storage		Within Idaho County
	T23N R01E S15	NESE	
	Wildlife from Storage		Within Idaho County
	T23N R01E S15	NESE	

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.

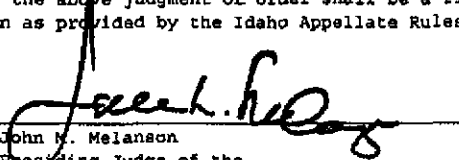
BASIS OF CLAIM - BENEFICIAL USE

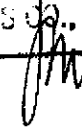
BLM RECORD ID - 7806588001

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

2004 SEP 29 PM 4:31
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

Case No. 39576

) ORDER OF PARTIAL DECREE
)
)
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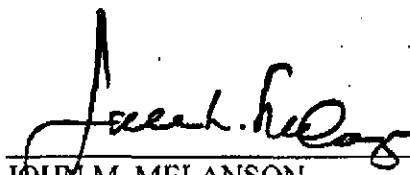
For Water Right: 78-04279

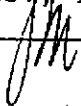
On August 19, 2004, a *Special Master's Report and Recommendation* was filed for water right 78-04279. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

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 Recommendation* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 78-04279 be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED September 29, 2004.


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

2004 SEP 29 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): 78-04279

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 78-04279 was mailed
on September 29, 2004, 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

JULIE MURPHY
Chief Deputy Clerk

CERTIFICATE OF MAILING

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09/29/04