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JUL 09 2013

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUL - 2 2013	
By _____	Clerk
_____	Deputy Clerk

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

) Subcase No. 83-11977

) (State of Idaho Department of Lands)

On April 16, 2013, a *Special Master's Report and Recommendation* was filed for the above-captioned 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 Recommendation* and wholly adopts them as its own.

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

DATED

July 2, 2013


ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

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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 FALLSDEPARTMENT OF
WATER RESOURCESIn Re SRBA)
)
Case No. 39576)
_____)PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 83-11977

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

JUL - 2 2013

By _____

Clerk

Deputy Clerk

NAME AND ADDRESS: STATE OF IDAHO
DEPARTMENT OF LANDS
300 N 6TH ST STE 103
PO BOX 83720
BOISE, ID 83720-0050SOURCE: POND TRIBUTARY: ORE CREEK
SPRING TRIBUTARY: UNNAMED CREEK
UNNAMED STREAM TRIBUTARY: CANYON CREEK

QUANTITY: 7.95 AFY

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
The quantity of water under this right for industrial use shall not exceed 0.20 acre-feet per day.
The capacity of the 4 storage reservoirs is 4.44 AF. The reservoirs may be refilled multiple times up to the total diversion volume in a single year.

PRIORITY DATE: 09/08/1968

POINT OF DIVERSION: T37N R02E S04 SWNE Within Clearwater County
T38N R02E S32 SWNE
S33 SWSE
SESE

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Industrial Storage	01-01 TO 12-31	7.95 AFY
Industrial from Storage	01-01 TO 12-31	7.95 AFY
Fire Protection Storage	01-01 TO 12-31	7.95 AFY
Fire Protect from Storage	01-01 TO 12-31	7.95 AFY
Stockwater Storage	01-01 TO 12-31	7.95 AFY
Stockwater from Storage	01-01 TO 12-31	7.95 AFY

Industrial use is for forest practices and forest dust abatement as provided for by Section 42-201, Idaho Code.

PLACE OF USE: Stockwater from Storage Within Clearwater County
T37N R02E S04 SWNE
T38N R02E S32 SWNE SENW
S33 SWSE
SESE

Industrial from Storage Within Clearwater County
T37N R02E S04 LOT 1 (NENE) LOT 2 (NWNE)
SWNE SENE
T38N R02E S32 NENE NWNE
SWNE SENE
NENW SWNW
SESW
NWSW SESW
NWSE SWSE
S33 NENE NWNE
SWNE SENE
NENW NWNW
SWNW SENW

PLACE OF USE (continued)

SESE

Fire Protect from Storage		Within Clearwater County
T37N R02E S04 LOT 1	(NENE)	LOT 2 (NWNE)
	SWNE	SENE
T38N R02E S32	NENE	NWNE
	SWNE	SENE
	NENW	SWNW
	SENW	NESW
	NWSW	SESW
	NWSE	SWSE
S33	NENE	NWNE
	SWNE	SENE
	NENW	NWNW
	SWNW	SENW
	SESE	

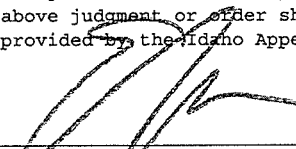
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right for stockwater use 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.


Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

2013 JUL 02 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)
)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 83-11977

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 83-11977 was mailed
on July 02, 2013, with sufficient first-class postage prepaid
to the following:

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

STATE OF IDAHO
Represented by:
CHIEF NATURAL RESOURCES DIV
OFFICE OF THE ATTORNEY GENERAL
STATE OF IDAHO
PO BOX 44449
BOISE, ID 83711-0449
Phone: 208-334-2400

JULIE MURPHY
Chief Deputy Clerk