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DEPARTMENT OF
WATER RESOURCES

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

JUL - 2 2013

By _____

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. 83-11974

) (State of Idaho Department of Lands)

On May 21, 2013, an *Amended Special Master's Report and Recommendation* was filed for the above-captioned water right. No Challenges were filed to the *Amended 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 *Amended 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

4 9 2013

CLERK OF 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 83720-0050

QUANTITY: 2.85 AFY

PRIORITY DATE: 09/08/1968

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Industrial Storage	01-01 TO 12-31	2.85 AFY
Fire Protection Storage	01-01 TO 12-31	2.85 AFY
Fire Protect from Storage	01-01 TO 12-31	2.85 AFY
Stockwater Storage	01-01 TO 12-31	2.85 AFY
Stockwater from Storage	01-01 TO 12-31	2.85 AFY
Industrial from Storage	01-01 TO 12-31	2.85 AFY

PLACE OF USE: Stockwater from Storage Within Clearwater County

T38N R02E S04 LOT 1 (NENE)

S12 SENW

S14 NWNE

Industrial from Storage		Within Clearwater County	
T38N R02E S04 LOT 1	(NENE)	LOT 2	(NWNE)
	(SWE)		(SENE)
LOT 3	(NENW)	LOT 4	(NWNW)
	(SWNW)		(SENW)
	(NESW)		(NWSW)
	(SWSW)		(SESW)
	(NESE)		(NWSE)
	(SWSE)		(SESE)
S12	(NENE)		(NWNE)
	(SWE)		(SENE)
	(NENW)		(NWNW)
	(SWNW)		(SENW)
	(NESW)		(NWSW)
	(SWSW)		(SESW)
	(NESE)		(NWSE)

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

PLACE OF USE (continued)

S14	SWSE	SESE
	NENE	NWNE
	SWNE	SENE
	NENW	NWNW
	SWNW	SENW
	NESW	NWSW
	SWSW	SESW
	NESE	NWSE
S12	SWSE	SESE
	NENE	NWNE
	SWNE	SENE
	NENW	NWNW
	SWNW	SENW
	NESW	NWSW
	SWSW	SESW
	NESE	NWSE
S14	SWSE	SESE
	NENE	NWNE
	SWNE	SENE
	NENW	NWNW
	SWNW	SENW
	NESW	NWSW
	SWSW	SESW
	NESE	NWSE

Fire Protect from Storage Within Clearwater County

T38N R02E S04 LOT 1 (NENE) LOT 2 (NWNE)

SWNE SENE

LOT 3 (NENW) LOT 4 (NWNW)

SWNW SENW

NESW NWSW

SWSW SESW

NESE NWSE

SWSE SESE

NENE NWNE

SWNE SENE

NENW NWNW

SWNW SENW

NESW NWSW

SWSW SESW

NESE NWSE

SWSE 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): 83-11974

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 83-11974 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