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JUL 02 2013

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUL - 1 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	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	Subcase No. 81-12005
	)	(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 1, 2013.



ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

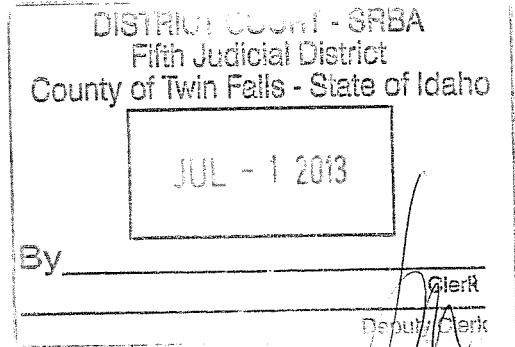
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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

DEPARTMENT OF
WATER RESOURCES

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 81-12005



NAME AND ADDRESS: STATE OF IDAHO
DEPARTMENT OF LANDS
300 N 6TH ST STE 103
PO BOX 83720
BOISE, ID 83720-0050

SOURCE: UNNAMED STREAM TRIBUTARY: NORTH FORK MAGGIE CREEK

QUANTITY: 0.23 AFY

The capacity of the storage reservoir is 0.02 AF. The reservoir may be refilled multiple times up to the total diversion volume in a single year.
The quantity of water under this right for industrial use shall not exceed 0.20 acre-feet per day.
The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 08/18/1961

POINT OF DIVERSION: T33N R05E S11 SENE Within Idaho County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Industrial from Storage	01-01 TO 12-31	0.23 AFY
	Industrial Storage	01-01 TO 12-31	0.23 AFY
	Fire Protection Storage	01-01 TO 12-31	0.23 AFY
	Fire Protect from Storage	01-01 TO 12-31	0.23 AFY
	Stockwater Storage	01-01 TO 12-31	0.23 AFY
	Stockwater from Storage	01-01 TO 12-31	0.23 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 Idaho County
	T33N R05E S11 NENE	SENE
	Industrial from Storage	Within Idaho County
	T33N R05E S11 NENE	NWNE
		SENE
		NWNW
		SENE
		NWSW
		SESW
		NWSE
		SESE
	Fire Protect from Storage	Within Idaho County
	T33N R05E S11 NENE	NWNE
		SENE
		NWNW
		SENE
		NWSW
		SESW
		NWSE
		SESE

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

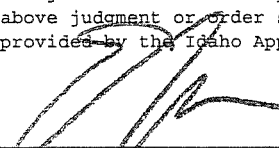
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 01 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): 81-12005

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 81-12005 was mailed
on July 01, 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