

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 63-30972

2001 APR 23 AM 8:32

DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
FILED

NAME AND ADDRESS: USDA FOREST SERVICE  
550 W FORT ST, MSC 033  
BOISE, ID 83724

SOURCE: GROUNDWATER

SOURCE ALSO KNOWN AS BARBER FLAT GUARD STATION WELL.

QUANTITY: 0.01 CFS

PRIORITY DATE: 05/29/1905

THIS IS A WATER RIGHT CLAIMED UNDER FEDERAL LAW.  
THIS IS NOT A STATE-LAW BASED WATER RIGHT.

LOCATION INSTREAM FLOW: T06N R08E S32 NWSE Within Boise County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Administrative | 04-01 TO 11-30 | 0.01 CFS |

USE IS FOR BARBER FLAT GUARD STATION.

PLACE OF USE: Administrative T06N R08E S32 NWSE Within Boise County

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

FOREST SERVICE RECORD ID = 04021705011240003 00  
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.



Roger Burdick  
Presiding Judge of the  
Snake River Basin Adjudication

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APR 24 2001

Department of Water Resources

2001 APR 23 AM 8:32

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 ON  
) UNCONTESTED FEDERAL WATER RIGHT

) For Water Right 63-30972  
)

On January 8, 2001, a *Special Master's Report and Recommendation* was filed for the above 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 I*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 63-30972 is hereby **decreeed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED APR 23 2001.



ROGER BURDICK  
Presiding Judge of the  
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREE ON UNCONTESTED FEDERAL WATER RIGHT 63-30972 was mailed on April 23, 2001, with sufficient first-class postage to the following:

USDA FOREST SERVICE

Represented by:

US DEPARTMENT OF JUSTICE

ENVIRONMENT & NATL' RESOURCES

550 WEST FORT STREET, MSC 033

BOISE, ID 83724

Phone: 208-387-0835

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

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APR 24 2001

Department of Water Resources