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DEC 06 2011
DEPARTMENT OF
WATER RESOURCES

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

DEC - 5 2011

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. 47-17205
(Brackett Ranches Ltd.)

On October 12, 2011, 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 December 5, 2011.


ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

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

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

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 47-17205

DEC - 5 2011

By _____

Clerk

Deputy Clerk

NAME AND ADDRESS: BRACKETT RANCHES LTD
FLAT CREEK RANCH
ROGERSON, ID 83302

SOURCE: GROUND WATER

QUANTITY: 0.02 CFS

The quantity of water under this right shall not exceed 13,000
gallons per day.

PRIORITY DATE: 12/31/1983

POINT OF DIVERSION: T12S R13E S20 NWSWS Within Twin Falls County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.02 CFS

Period of use is limited to the authorized terms and conditions
of BLM-issued grazing permit.

PLACE OF USE:	Stockwater	Within Twin Falls County
	T12S R12E S25	SENE
	S35	NESW
	R13E S29	SWSW
	S31	SENE
	T13S R12E S01	SWNE
	R13E S05	SWSW
		NWNW

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.
PURSUANT TO THE DECISION IN JOYCE LIVESTOCK V. UNITED STATES
(144 IDAHO 1, 156 P.3D 502 (2007)), THIS WATER RIGHT IS
APPURTENANT TO REAL PROPERTY THAT IS NOT THE PLACE OF USE.
PROPERTY TO WHICH THIS WATER RIGHT IS APPURTENANT IS DESCRIBED
AS FOLLOWS PURSUANT TO I.C. 42-1402:

T12S R13E S19 SESE
T12S R13E S20 NWSW
T12S R13E S20 SWSW
T12S R13E S20 SESW
T12S R13E S29 SWNE
T12S R13E S29 NENW
T12S R13E S29 NWNW
T12S R13E S29 SWNW
T12S R13E S29 SENW
T12S R13E S29 NESW
T12S R13E S29 NWSW
T12S R13E S29 SWSW
T12S R13E S29 SESW
T12S R13E S29 NESE
T12S R13E S29 NWSE
T12S R13E S29 SWSE
T12S R13E S29 SESE
T12S R13E S30 NENE
T12S R13E S30 SENE

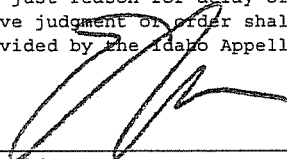
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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

2011 DEC 05 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): 47-17205

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 47-17205 was mailed
on December 05, 2011, with sufficient first-class postage prepaid
to the following:

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

BRACKETT RANCHES LTD
Represented by:
CRAIG A. PRIDGEN
300 NORTH LAKE BLVD STE 4
PO BOX 5488
TAHOE CITY, CA 96145
Phone: 530-583-5523

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

BRACKETT RANCHES LTD
Represented by:
W ALAN SCHROEDER
SCHROEDER & LEZAMIZ LAW OFFICE
PO BOX 267
BOISE, ID 83701
Phone: 208-384-1627

JULIE MURPHY
Chief Deputy Clerk