

75-11253-2124

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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
FEB - 1 2010	
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 DECREES

Subcases: See Attached Exhibit A
(USDA Forest Service)

On December 7, 2009, a *Special Master's Report and Recommendation* was filed for the above-captioned water rights. 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 wholly adopts them as its own.

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

DATED February 1, 2010.

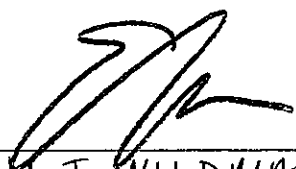

ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

EXHIBIT A

Subcase Nos:

75-11205
75-11212
75-13802
75-14379
75-14449
75-14602
75-14603
75-14604
75-14605
75-14613

In Re SRBA) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 75-11205

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

SOURCE: UPPER DUMMY CREEK SPRING - TRIBUTARY: SINKS

QUANTITY: 0.06 CFS

This right is used in combination with Right No. 75-14613 and is limited to a total combined diversion rate of 0.06 cfs.

PRIORITY DATE: 11/05/1906

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*****
* This is a federal reserved water right first reserved by *
* Presidential Proclamation November 5, 1906 as the Salmon *
* River Forest Reserve, now part of the Salmon-Challis *
* National Forest. *
*****

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LOCATION INSTREAM FLOW: T20N R19E S18 NENW Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Administrative	01-01 TO 12-31	0.06 CFS

PLACE OF USE: Administrative Within Lemhi County
T20N R19E S18 NENW

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

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 T. Wildman
Presiding Judge of the
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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 75-11212

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

SOURCE: NORTH FORK SALMON RIVER TRIBUTARY: SALMON RIVER

QUANTITY: 0.025 CFS

This right is used in conjunction with Right No. 75-14602 and is
limited to a total combined diversion rate of .025 cfs.

PRIORITY DATE: 11/05/1906

* This is a federal reserved water right first reserved by *
* Presidential Proclamation November 5, 1906 as the Lemhi *
* Forest Reserve, now part of the Salmon-Challis National *
* Forest *

LOCATION INSTREAM FLOW: T25N R21E S15 SESW Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Administrative	05-01 TO 10-31	0.025 CFS

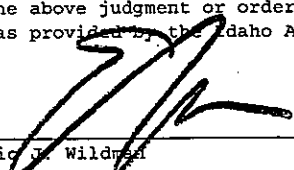
PLACE OF USE: Administrative Within Lemhi County
T25N R21E S22 NENW

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

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

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 75-13802

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

SOURCE: PANTHER CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.08 CFS

This right is used in conjunction with Right No. 75-14603 and is
limited to a total combined diversion rate of .08 cfs.

PRIORITY DATE: 11/05/1906

* This is a federal reserved water right first reserved by *
* Presidential Proclamation November 5, 1906, as the Salmon *
* River Forest Reserve, now part of the Salmon-Challis *
* National Forest. *

LOCATION INSTREAM FLOW: T20N R19E S18 NENW Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Administrative	05-01 TO 10-31	0.08 CFS

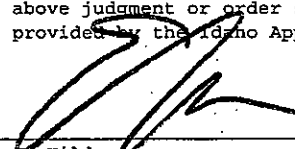
PLACE OF USE: Administrative Within Lemhi County
T20N R19E S18 NWNE

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
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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
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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

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 75-14379

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

SOURCE: LOWER DUMMY CREEK SPRING TRIBUTARY: SINKS

QUANTITY: 0.05 CFS

This right is used in conjunction with Right No. 75-14604 and is
limited to a total combined diversion rate of 0.05 cfs.

PRIORITY DATE: 11/05/1906

* This is a federal reserved water right first reserved by *
* Presidential Proclamation November 5, 1906, as the Salmon *
* River Forest Reserve, now part of the Salmon-Challis *
* National Forest. *

LOCATION INSTREAM FLOW: T20N R19E S18 NENW Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Administrative	05-01 TO 11-30	0.05 CFS

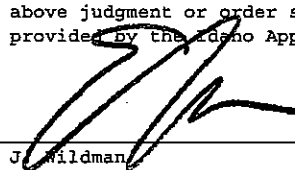
PLACE OF USE: Administrative Within Lemhi County
T20N R19E S18 NENW

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
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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.


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Presiding Judge of the
Snake River Basin Adjudication

In Re SRBA) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 75-14449

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

SOURCE: SHEEP CREEK TRIBUTARY: NORTH FORK SALMON RIVER

QUANTITY: 0.10 CFS

This right is used in conjunction with Right No. 75-14605 and is limited to a total combined diversion rate of .10 cfs.

PRIORITY DATE: 11/05/1906

 * This is a federal reserved water right first reserved by *
 * Presidential Proclamation November 5, 1906, as the Lemhi *
 * Forest Reserve, now part of the Salmon-Challis National *
 * Forest. *

LOCATION INSTREAM FLOW: T25N R21E S14 SENW Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Administrative	05-01 TO 10-31	0.10 CFS

PLACE OF USE: Administrative Within Lemhi County
T25N R21E S15 SESW

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

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.

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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

In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 75-14602

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

SOURCE: NORTH FORK SALMON RIVER TRIBUTARY: SALMON RIVER

QUANTITY: 0.025 CFS

This right is used in conjunction with Right No. 75-11212 and is
limited to a total combined diversion rate of .025 cfs.

PRIORITY DATE: 06/01/1908

LOCATION INSTREAM FLOW: T25N R21E S15 SESW Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 10-31	0.025 CFS

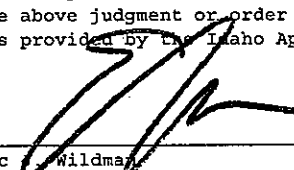
PLACE OF USE: Irrigation Within Lemhi County
T25N R21E S22 NENW 0.7
0.7 Acres Total

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

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Snake River Basin Adjudication

In Re SRBA) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 75-14603

NAME AND ADDRESS: UNITED STATES OF AMERICA
USDA FOREST SERVICE
550 W PORT ST MSC 033
BOISE, ID 83724

SOURCE: PANTHER CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.08 CFS

This right is used in conjunction with Right No. 75-13802 and is limited to a total combined diversion rate of .08 cfs.

PRIORITY DATE: 06/01/1919

LOCATION INSTREAM FLOW: T20N R19E S18 NENW Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-30	0.08 CFS

PLACE OF USE:	Irrigation		Within Lemhi County
	T20N R19E S07	SWSE 0.5	
	S18	NWNE 3.6	
	S48	NENW 0.5	
	4.6 Acres Total		

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

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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

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 75-14604

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

SOURCE: LOWER DUMMY CREEK SPRING TRIBUTARY: SINKS

QUANTITY: 0.05 CFS

This right is used in conjunction with Right No. 75-14379 and is
limited to a total combined diversion rate of 0.05 cfs.

PRIORITY DATE: 06/01/1919

LOCATION INSTREAM FLOW: T20N R19E S07 NENW Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 11-30	0.05 CFS

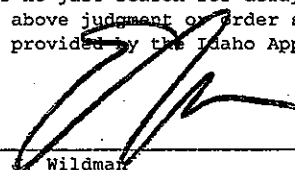
PLACE OF USE: Irrigation Within Lemhi County
T20N R19E S18 NENW 1.0
1.0 Acres Total

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

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Presiding Judge of the
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In Re SRBA

Case No. 39576

Water Right 75-14605

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Feb-01-2010

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 75-14613

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

SOURCE: UPPER DUMMY SPRING TRIBUTARY: SINKS

QUANTITY: 0.06 CFS

This right is used in combination with Right No. 75-11205 and is
limited to a total combined diversion rate of 0.06 cfs.

PRIORITY DATE: 06/01/1919

LOCATION INSTREAM FLOW: T20N R19E S18 NENW Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Fire Protection	01-01 TO 12-31	0.06 CFS

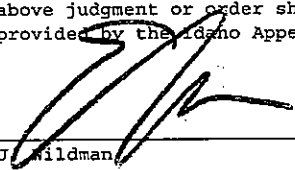
PLACE OF USE: Fire Protection Within Lemhi County
T20N R19E S18 NENW

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
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Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on February 01, 2010, with sufficient first-class postage to the following:

STATE OF IDAHO

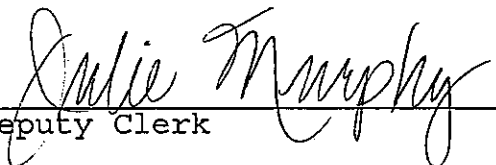
Represented by:
NATURAL RESOURCES DIV CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
PO BOX 44449
BOISE, ID 83711-4449

UNITED STATES OF AMERICA

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

DIRECTOR OF IDWR

PO BOX 83720
BOISE, ID 83720-0098

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line.