

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 45-12689

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

MAR 23 2009

NAME AND ADDRESS: USDI BLM
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE, ID 83709-1657

SOURCE: UNNAMED STREAMS TRIBUTARY: COLD CREEK

QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 06/28/1934

POINT OF DIVERSION: T15S R22E S22 SENESE (Instream Beginning Point) Within Cassia County
S23 SWNWSE (Instream Ending Point)
S25 NESWSW (Instream Beginning Point)
S26 NWSWSW (Instream Ending Point)
S27 NENWSW (Instream Beginning Point)
S34 SESWSW (Instream Ending Point)
S35 SWSWSW (Instream Beginning Point)
S26 NWSESW (Instream Beginning Point)
S27 SWNWSW (Instream Beginning Point)
S34 NWNWSW (Instream Ending Point)
S35 NESESE (Instream Ending Point)
S27 NWNWSE (Instream Ending Point)
S34 SENENE (Instream Ending Point)
S35 SWSWNE (Instream Beginning Point)
LOT 1 (NWSESE) (Instream Beginning Point)
S35 SWSWNE (Instream Beginning Point)
NENWSW (Instream Ending Point)

THERE ARE TWO INSTREAM ENDING POINTS OF DIVERSION IN T15S R22E
S26 NESESE.

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

PLACE OF USE:	Stockwater	Within Cassia County
	T15S R22E S22 NESE	NWSE
	S23 SWSW	
	S25 NWSW	SWSW
	S26 SESW	
	S27 NWSW	SESE
	S34 NESW	SESW
	S35 NWSE	
	S34 NENE	NWNE
	S35 SWNE	SENE
	S35 NENW	SENW
	S35 NESE	NWSE
	LOT 1 (SESE)	
	S35 SWNE	SWNW
	S35 SENW	NWSW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A

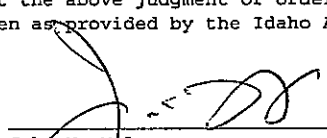
OTHER PROVISIONS (continued)

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.



John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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MAR 24 2009

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
MAR 23 2009	
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
(USDI - BLM)

On November 12, 2008, 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 March 23, 2009



JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

EXHIBIT A - USDI/BLM

Subcase Nos:

45-12526
45-12557
45-12561
45-12672
45-12678
45-12689
45-12690
45-12779
45-12795

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on March 23, 2009, with sufficient first-class postage to the following:

STATE OF IDAHO

Represented by:
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STATE OF IDAHO
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JOE TUGAW
MICHAEL A POULTON
MICHAEL A. POULTON
PICKETT RANCH & SHEEP COMPANY
SCOTT BEDKE

Represented by:
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UNITED STATES OF AMERICA
USDI BLM

Represented by:
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ORDER

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Deputy Clerk

