

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 45-12561

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: BLUE HILL CREEK TRIBUTARY: GOOSE CREEK
UNNAMED STREAM(S) TRIBUTARY: BLUE HILL 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:	T16S R21E S12	SWNWSE (Instream Ending Point)	Within Cassia County
	R22E S09	SWSWSW (Instream Ending Point)	
		SWSWSE (Instream Beginning Point)	
	S15	NWNWSW (Instream Ending Point)	
		NENESE (Instream Beginning Point)	
	S17	NENENE (Instream Beginning Point)	
		SWNENE (Instream Ending Point)	
		NESWNE (Instream Beginning Point)	
		NENWSW (Instream Ending Point)	
		SENWSE (Instream Beginning Point)	
	S20	SENWNE (Instream Beginning Point)	
	S21	NENENE (Instream Ending Point)	
		SESWNE (Instream Beginning Point)	
		SWSWNE (Instream Ending Point)	
		NWNWSE (Instream Ending Point)	
	S22	NESWSW (Instream Ending Point)	
		SESWSE (Instream Ending Point)	
		SWSWSE (Instream Beginning Point)	
		SWSESE (Instream Beginning Point)	
	S23	NWNENW (Instream Beginning Point)	
		NENESW (Instream Beginning Point)	

THERE ARE TWO INSTREAM ENDING POINTS OF DIVERSION LOCATED IN THE
T16S R22E S17 NENWSW.

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
	T16S R21E S12	NESE SESE
	R22E S07 LOT 4	(SWSW)
	S09	SWSW SWSE
	S15	NESW NESE
	S17	NENE SWNW
		NESW SESW
		SWSE
	S18	SWNE

PLACE OF USE (continued)

	NENW	LOT 1	(NWNW)
	SENE		
S20	NWNE		
S21	NENE		SWNE
	NESE		NWSE
	SESE		
S22	SWNE		SENE
	NENW		NWNW
	SENE		NESW
	SWSW		SESW
	NESE		NWSE
	SWSE		SESE
S23	NENW		NWNW
	SWNW		NESW
	NWSW		

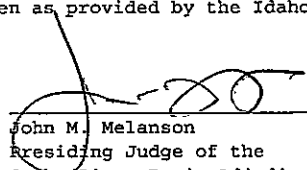
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

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
Residing Judge of the
Snake River Basin Adjudication

RECEIVED

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

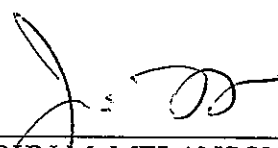
Subcases: See Attached Exhibit A
(USDI - BLM)

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:
NATURAL RESOURCES DIV CHIEF
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

