

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 47-16445

2008 OCT 13 AM 9 55

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

SOURCE: HUMPHREY CREEK TRIBUTARY: LITTLE PINY CREEK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 06/12/1905

POINT OF DIVERSION: T16S R19E S03 NWNW (Instream Beginning Point) Within Cassia County
S05 NENE (Instream Ending Point)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	05-01 TO 11-30	0.02 CFS

PLACE OF USE:	Stockwater		Within Cassia County
	T15S R19E S33	SESW	SWSE
		SESE	
	S34	SWSW	
	T16S R19E S03	NWNW	
	S04	NENE	NENW
		NWNW	
	S05	NENE	

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.

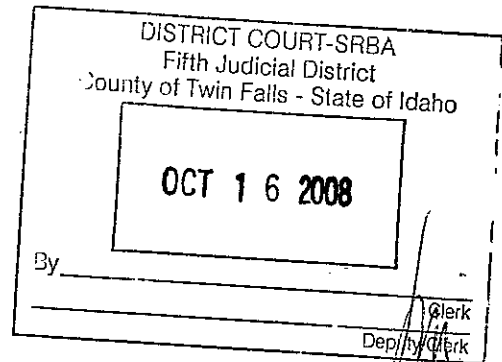
John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

SCANNED
OCT 17 2008

RECEIVED

OCT 17 2008

DEPARTMENT OF
WATER RESOURCES



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

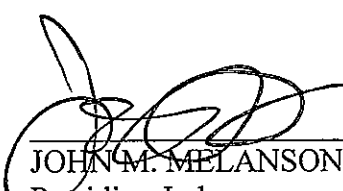
Subcases: 47-16433, *et al.*
(See list of 26 subcases attached)
(USDA / Forest Service)

On August 20, 2008, a 2nd *Special Master's Report and Recommendation* was filed for the above-captioned water rights. No Challenges were filed to the 2nd *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 2nd *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 October 16, 2008.


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

SCANNED

OCT 17 2008

47-16433, ET AL. USDA / FOREST SERVICE

Subcase Nos:

47-16433
47-16434
47-16435
47-16437
47-16438
47-16440
47-16441
47-16442
47-16443
47-16444
47-16445
47-16446
47-16447
47-16448
47-16449
47-16458
47-16459
47-16460
47-16461
47-16463
47-16464
47-16465
47-16466
47-16470
47-16471
47-16474

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on October 16, 2008, with sufficient first-class postage to the following:

GARY R POULTON

MICHAEL A POULTON

SCOTT C. BEDKE

Represented by:

TRAVIS L THOMPSON

113 MAIN AVE W, STE 303

PO BOX 485

TWIN FALLS, ID 83303-0485

Phone: 208-733-0700

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

SCANNED

OCT 17 2008

NOTICE

Page 1 10/16/08

FILE COPY FOR 00638

Deputy Clerk

