

RECEIVED

SEP 29 2008
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
SEP 26 2008
_____ 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

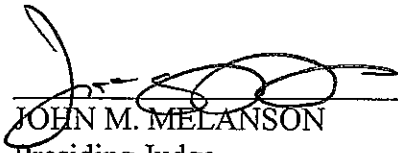
) For Water Right: 27-12061

On May 28, 2008, 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 September 26, 2008.


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

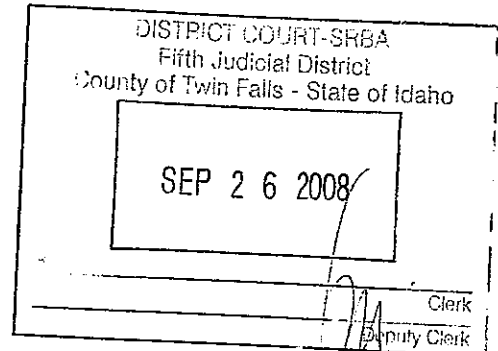
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
)
Case No. 39576)
)
Water Right 27-12061

NAME AND ADDRESS: BEAR LAKE GRAZING CO
C/O ROWDEEN KEETCH
3632 BENCH RD
MONTPELIER, ID 83254

SOURCE: SPRING TRIBUTARY: SINKS

QUANTITY: 0.02 CFS
28.35 AFY



The quantity of water under this right shall not exceed 13,000 gallons per day.
Use of this right with rights listed below is limited to a total combined annual diversion volume for stockwater of 36.64 af.
Combined Right Nos.: 27-12043, 27-12052, 27-12053, 27-12054, 27-12055, 27-12056, 27-12057, 27-12058, 27-12059, 27-12060 and 27-12061.

PRIORITY DATE: 10/18/1886

POINT OF DIVERSION: T07S R44E S02 LOT 2 (NWNWNE) (Instream Beginning Point) Within Caribou County
LOT 2 (SWNWNE)
LOT 4 (SENWNW) (Instream Ending Point)
SWNESE
SESESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	06-01 TO 11-01	0.02 CFS 28.35 AFY

PLACE OF USE:	Stockwater	Within Caribou County
	T07S R44E S02 LOT 2 (NWNE)	LOT 3 (NENW)
	LOT 4 (NWNW)	NESE
	SESE	

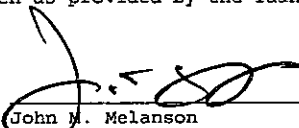
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

2008 SEP 26 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

Case No. 39576

)
)
)
)
CERTIFICATE OF MAILING

Water Right(s): 27-12061

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 27-12061 was mailed
on September 26, 2008, with sufficient first-class postage prepaid
to the following:

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

SHOSHONE-BANNOCK TRIBES

Represented by:
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SPECIAL COUNSEL
SHOSHONE-BANNOCK TRIBE
202 N ARTHUR
POCATELLO, ID 83202
Phone: 208-232-1922

STATE OF IDAHO

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

CERTIFICATE OF MAILING

PAGE 1
09/26/08

BEAR LAKE GRAZING CO
C/O ROWDEEN KEETCH
3632 BENCH RD
MONTPELIER, ID 83254
Phone: 208-847-0636

JULIE MURPHY
Chief Deputy Clerk