

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
FEB - 7 2008	
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: 79-14159 & 79-14169

On November 14, 2007, 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 7, 2008.



JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

In Re SRBA

Case No. 39576

Water Right 79-14159

TO _____

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

FEB - 7 2008

By _____

Clerk
Deputy Clerk

NAME AND ADDRESS: FLYING U RANCH
DELOS ROBBINS
PO BOX 17004
MISSOULA, MT 59808

SOURCE: UNNAMED STREAM TRIBUTARY: WOLF CREEK
WOLF CREEK TRIBUTARY: SNAKE RIVER
GILLESPIE GULCH TRIBUTARY: GIBBONS CANYON
DEWEY GULCH TRIBUTARY: GIBBONS CANYON
GIBBONS CANYON TRIBUTARY: WOLF CREEK

QUANTITY: 0.02 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 01/01/1900

POINT OF DIVERSION:	T29N R01W S06 LOT 5	(SWNW)	(Instream Beginning Point)	Within Idaho County
	LOT 2	(NWNE)	(Instream Beginning Point)	
	S07	NWSE	(Instream Ending Point)	
		SWSE	(Instream Ending Point)	
	S08	NWSW	(Instream Ending Point)	
		NWNE	(Instream Beginning Point)	
		NWSE	(Instream Ending Point)	
		NWSE	(Instream Ending Point)	
		NWSW	(Instream Beginning Point)	
		NWSE	(Instream Ending Point)	
	S09	NENW	(Instream Beginning Point)	
	S17	NENE	(Instream Beginning Point)	
	S18	NENW	(Instream Beginning Point)	
		NENW	(Instream Ending Point)	
		SENW	(Instream Beginning Point)	
	R02W S24	SWSE	(Instream Ending Point)	

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 Idaho County
	T29N R01W S05	SWNW	NESW
		NWSW	SESW
	S06 LOT 1	{NENE}	LOT 2 {NWNW}
		SENE	LOT 5 {SNNW}
	LOT 6	{NWSW}	LOT 7 {SWSW}
		SESW	
	S07	SWNE	NENW
		SENW	NESE
		NWSE	SWSE
	S08	NWNE	SWNE
		NENW	NWNW
		SNNW	NWSW
		NESE	NWSE
		SWSE	SESE
	S09	NENW	NWNW
		SNNW	NWSW
	S17	NENE	
	S18	NENW	SENW

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

	NESW	LOT 3	(NWSW)
	SESW		
S19	NWNE		SWNE
	NENW		SENW
	NESW	LOT 4	(SWSW)
	SESW		NWSE
R02W S13	SENE		NESE
S24	SWSE		SESE

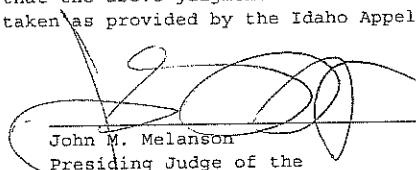
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

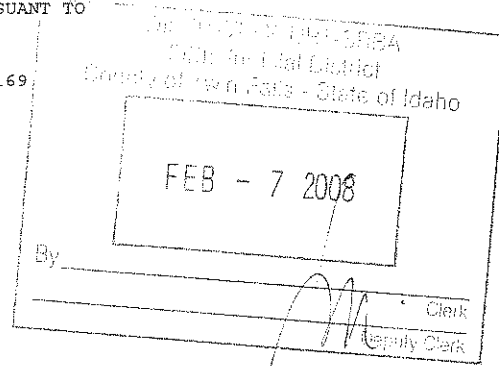
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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

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 79-14169



NAME AND ADDRESS: FLYING U RANCH
DELOS ROBBINS
PO BOX 17004
MISSOULA, MT 59808

SOURCE: UNNAMED STREAM TRIBUTARY: RICE CREEK

QUANTITY: 0.02 CFS

The quantity of water under this right shall not exceed 13,000
gallons per day.

PRIORITY DATE: 01/01/1900

POINT OF DIVERSION: T29N R01W S02 LOT 1 (SWNE) (Instream Ending Point) Within Idaho County
SWNE (Instream Ending Point)
LOT 4 (NWNW) (Instream Beginning Point)
LOT 2 (NWNW) (Instream Ending Point)
SWNW (Instream Beginning Point)
S03 SWSE (Instream Beginning Point)
SWNW (Instream Beginning Point)
NWSW (Instream Beginning Point)
SWNE (Instream Ending Point)

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 Idaho County
	T29N R01W S02 LOT 1 (NENE)	LOT 2 (NWNE)
	SWNE	SENE
	LOT 3 (NENW)	LOT 4 (NWNW)
	SWNW	SENW
	NESW	NWSW
	S03 SWNE	SWNW
	SENW	NESW
	NWSW	SESW
	NESE	NWSE
	SWSE	
	S10 NENW	

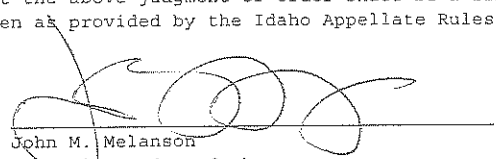
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on February 07, 2008, with sufficient first-class postage to the following:

UNITED STATES OF AMERICA

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

FLYING U RANCH
DELOS ROBBINS
PO BOX 17004
MISSOULA, MT 59808
Phone: 406-549-1466

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