

2001 JAN 10 AM 8:16
FILED
TWIN FALLS CO., IDAHO
SRBA

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

) ORDER OF PARTIAL DECREE

Case No. 39576

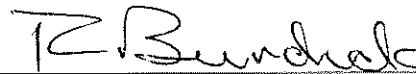
) For Water Right 73-11636
)
)
)

On November 6, 2000, a *Special Master's Report and Recommendation* was filed for the above 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 wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 73-11636 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED JAN 10 2001.



ROGER BURDICK
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)
) PARTIAL DECREE PURSUANT TO
Case No. 39576) I.R.C.P. 54(b) FOR
)
) Water Right 73-11636

2001 JAN 10 AM 10
FILED
TWIN FALLS CO., IDAHO

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

SOURCE: PAHSIMEROI RIVER TRIBUTARY: SALMON RIVER

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: T10N R23E S01 LOT 03 (NWNENW) (Instream Ending Point) Within Custer County
S23 SWSESW (Instream Beginning Point)
T11N R24E S31 LOT 01 (NWNWNW) (Instream Beginning Point)
T12N R23E S02 LOT 04 (NWNWNW) (Instream Ending Point)
T13N R22E S02 NENWSE (Instream Ending Point)
S11 SENWNE (Instream Beginning Point)
T14N R22E S21 NWSWNE (Instream Ending Point)
NENESE (Instream Beginning Point)
S35 NWSWNW (Instream Ending Point)
NESESW (Instream Beginning Point)

THE POINTS OF DIVERSION IN T14N R22E ARE LOCATED IN BOTH
LEMHI AND CUSTER COUNTIES; ALL OTHER POINTS OF DIVERSION ARE
LOCATED IN CUSTER COUNTY.

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 Custer County
T10N R23E S01 LOT 03 (NENW) LOT 04 (NWNW)
S02 SWNW NWSW
S02 NESE SESE
S11 LOT 01 (NENE) SENE
NESE NWSE
S14 SWSE
NWNE NENW
SENW NESW
SESW SWSE
S23 NWNE NENW
SENW NESW
SESW
T11N R24E S05 LOT 07 (NWNW)
S06 LOT 01 (NENE) SENE
NESE SESE
S07 NENE NWNE
SWNE NESE
NWSE SESE
S17 LOT 16 (SWSW)
S18 NENE SENE
NESE SESE
S19 NENE SWNE
SENE SESW
NWSE SWSE

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

PLACE OF USE (continued)

S30	NENW	LOT 02 (SWNW)
	SESW	LOT 03 (NWSW)
	LOT 04 (SWSW)	
S31	LOT 01 (NWNW)	
T12N R23E S02	LOT 04 (NWNW)	SWNW
	NESW	NWSW
	SESW	SWSE
S11	NENE	NWNE
	SENE	NESE
	SESE	
S12	SWSW	
S13	NENW	NWNW
	SESW	NESW
	NESE	NWSE
	SESE	
R24E S18	LOT 04 (SWSW)	
S19	NENW	LOT 01 (NWNW)
	SESW	NESW
	SESW	SWSE
S30	NWNE	SWNE
	SENE	NESE
	SESE	
S31	NENE	SENE
	NESE	SESE
S32	SWNW	NWSW
	SWSW	
T13N R22E S02	NWSE	SWSE
S11	NWNE	
T14N R22E S21	SWNE	SENE
	NESE	
S35	SWNW	SESW
	NESW	
	NWSE	

THE PLACES OF USE IN T14N R22E ARE LOCATED IN BOTH LEMHI AND CUSTER COUNTIES; ALL OTHER PLACES OF USE ARE LOCATED IN CUSTER COUNTY.

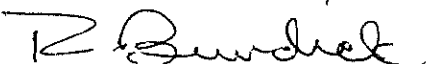
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.


 Roger Burdick
 Presiding Judge of the
 Snake River Basin Adjudication

2001 JAN 10 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	)	CERTIFICATE OF MAILING
	)	
Case No. 39576	)	
_____	)	Water Right(s): 73-11636

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 73-11636 was mailed
on January 10, 2001, with sufficient first-class postage prepaid
to the following:

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

STATE OF IDAHO
Represented by:
PETER J. AMPE
PO BOX 83720
BOISE, ID 83720-0010
Phone: 208-334-2400

USDI BLM
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

DIANA DELANEY
Chief Deputy Clerk