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SEP 20 2007

DEPARTMENT OF
WATER RESOURCES

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

SEP 20 2007

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

Clerk
Deputy Clerk

In Re SRBA

Case No. 39576

ORDER OF PARTIAL DECREE ON
UNCONTESTED FEDERAL WATER RIGHT
CLAIMS FOR ADMINISTRATIVE SITES

FOR WATER RIGHTS: 77-13931, 77-14231 &
77-11652

The above-captioned water rights were claimed as implied federal reserved water rights for administrative sites within the boundaries of a national forest. The claims were included in the *Basin 77, Part II, Reporting Area 24, Director's Report for Federal Reserved Rights* filed March 28, 2006. No objections were filed to the claims.

A hearing was held on September 18, 2007, as required by I.C. § 42-1411A(14), for the purpose of allowing the United States to demonstrate a *prima facie* case regarding the existence of the above-captioned water rights established under federal law. No party appeared in opposition. The United States filed affidavits in support of its claims. The Court has reviewed the affidavits and heard the arguments of counsel in open court and finds that the United States had met its burden of establishing the existence and elements of an implied federal reserved water right for each of the above-captioned water right claims.

THEREFORE, IT IS ORDERED that water rights 77-13931, 77-14231 & 77-11652 are hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED: Sept, 19, 2007


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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 77-13931

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

SOURCE: SPRING TRIBUTARY: INDIAN CREEK

QUANTITY: 0.02 CFS

PRIORITY DATE: 06/30/1905

POINT OF DIVERSION: T19N R06E S21 SENW Within Valley County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Administrative	04-01 TO 12-31	0.02 CFS

PLACE OF USE: Administrative Within Valley County
T19N R06E S21 SENW

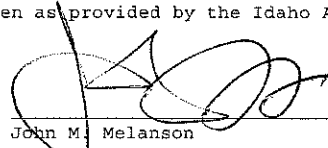
Administrative use is for Lower Krassel Guard Station.

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

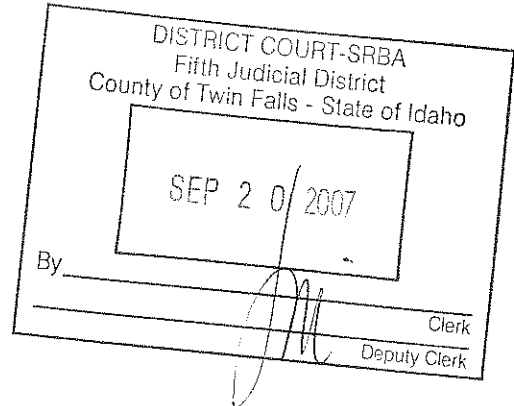
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 77-14231

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

SOURCE: UNNAMED STREAM TRIBUTARY: ELK CREEK

QUANTITY: 0.11 CFS

PRIORITY DATE: 11/06/1906

POINT OF DIVERSION: T13N R09E S32 NWNE Within Valley County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Administrative	06-01 TO 10-31	0.11 CFS

Use is at Elk Creek Guard Station.

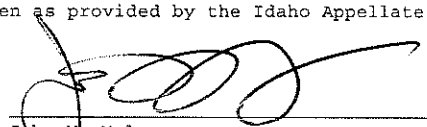
PLACE OF USE: Administrative Within Valley County
T13N R09E S32 NWNE

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

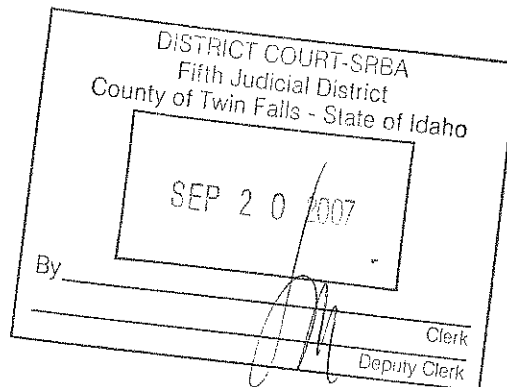
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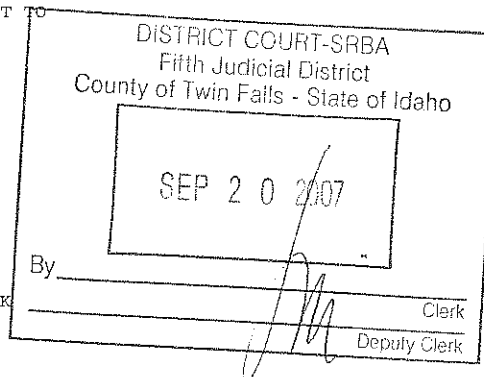
John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication



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 77-11652



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

SOURCE: POLE CREEK TRIBUTARY: WEST FORK CAMAS CREEK

QUANTITY: 0.02 CFS

PRIORITY DATE: 11/05/1906

POINT OF DIVERSION: T17N R15E S27 NWNE Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Administrative	01-01 TO 12-31	0.02 CFS

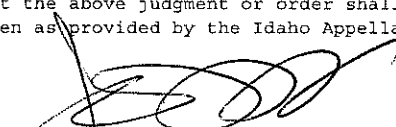
PLACE OF USE: Administrative Within Lemhi County
T17N R15E S27 NWNE

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
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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 DECREE ON UNCONTESTED FEDERAL WATER RIGHT CLAIMS FOR ADMINISTRATIVE SITES was mailed on September 20, 2007, with sufficient first-class postage to the following:

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

UNITED STATES OF AMERICA
USDA FOREST SERVICE
550 W FORT ST MSC 033
BOISE, ID 83724
Phone: 208-387-0835