

DISTRICT OF THE
 TWIN FALLS
 2007 FEB 29

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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT
TWIN FALLS
FILED
2007 FEB 28
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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 ON
) UNCONTESTED FEDERAL CLAIMS FOR
) STOCKWATER BASED ON PUBLIC WATER
) RESERVE (PWR) 107
)

) FOR WATER RIGHTS: 74-14782, 74-15456,
) 74-15457, 74-15458, 74-15459, 74-15460, 74-15465,
) 74-15467, 74-15469, 74-15471, 74-15472, 74-15477,
) 74-15488, 74-15505, 74-15538, 74-15541, 74-15543,
) 74-15651 and 74-15652
)

The above-captioned stockwater rights were claimed on behalf of the United States Department of Interior, Bureau of Land Management (United States) pursuant to federal law based on Public Water Reserve (PWR) 107 and also based on state law. The claims were included in the *Basin 74, Part I, Reporting Area 23, Director's Report* filed on January 23, 2006. No objections were filed to the claims.

A hearing was held on February 20, 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. At the close of the hearing, the Court ruled that the United States had met its burden of establishing the existence and elements of a federal reserved water right pursuant to PWR 107 for each of the above-captioned water right claims.

THEREFORE, IT IS ORDERED that water rights 74-14782, 74-15456, 74-15457, 74-15458, 74-15459, 74-15460, 74-15465, 74-15467, 74-15469, 74-15471, 74-15472, 74-15477, 74-15488, 74-15505, 74-15538, 74-15541, 74-15543, 74-15651 and 74-15652 are hereby decreed as set forth in the attached *Partial Decree[s] Pursuant to I.R.C.P. 54(b)*.

IT IS FURTHER HEREBY ORDERED that any concomitant state-law water right claimed in the alternative for the above-captioned rights not be confirmed in any partial or final

decree entered in the SRBA, Case No. 39576, in whatever form that final decree may take or be styled.

Dated this 28th day of February, 2007.



HONORABLE JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES ON UNCONTESTED FEDERAL CLAIMS FOR STOCKWATER BASED ON PUBLIC WATER RESERVE (PWR) 107 was mailed on February 28, 2007, with sufficient first-class postage to the following:

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

UNITED STATES OF AMERICA
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE, ID 83709-1657
Phone: 208-373-4000

ORDER

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Deputy Clerk

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line. The signature is in dark ink and is positioned to the right of the printed text "Deputy Clerk".