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SEP 22 2006

DEPARTMENT OF
WATER RESOURCES

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

SEP 21 2006

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 ON
) UNCONTESTED FEDERAL WATER RIGHT
) CLAIM FOR ADMINISTRATIVE SITE
)
)
)
)

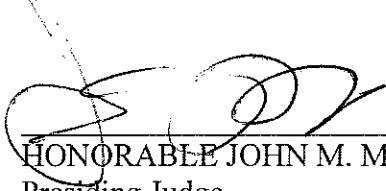
FOR WATER RIGHT: 74-15497

The above-captioned water right was claimed as an implied federal reserved water right for an administrative site within the boundaries of a national forest. The claim was included in the *Basin 74, Part II, Reporting Area 23, Director's Report for Federal Reserved Right 74-15497* filed on January 23, 2006. No objections were filed to the claim.

A hearing was held on September 19, 2006, 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 right 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 an implied federal reserved water right for the above-captioned water right claim.

THEREFORE, IT IS ORDERED that water right **74-15497** is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED: September 20, 2006


HONORABLE 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 74-15497

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

SOURCE: HAYDEN CREEK TRIBUTARY; LEMHI RIVER

QUANTITY: 0.02 CFS

PRIORITY DATE: 12/04/1908

LOCATION INSTREAM FLOW: T18N R24E S29 LOT 5 (SENE) (Instream Beginning Point) Within Lemhi County
LOT 5 (SENE) (Instream Ending Point)

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

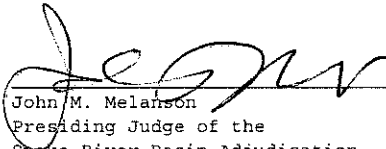
PLACE OF USE: Administrative Within Lemhi County
T18N R24E S29 LOT 5 (SENE)

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

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

SEP 21 2006

By _____ Clerk
_____ Deputy Clerk

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREE ON UNCONTESTED FEDERAL WATER RIGHT CLAIM FOR ADMINISTRATIVE SITE was mailed on September 21, 2006, 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

A handwritten signature in black ink, appearing to read "Julie Murphy", is written over a horizontal line. The signature is cursive and fluid.