

RECEIVED

AUG 18 2006

DEPARTMENT OF  
WATER RESOURCES

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

Fifth Judicial District  
County of Twin Falls - State of Idaho

AUG 17 2006

By \_\_\_\_\_

ORDER OF PARTIAL DECREE FOR  
UNCONTESTED WATER RIGHT BASED ON  
STATE-LAW

FOR WATER RIGHT: 25-14175

Deputy Clerk

On September 19, 2005, a *Motion to File Late Notice of Claim* was filed by the United States, acting through the USDI Fish and Wildlife Service, for the above-captioned water right. Pursuant to leave of court, the claim was amended on March 26, 2006, amending the priority date. Because the claim was related to another claim then pending before the special master, the Court ordered an amended director's report in advance of the miscellaneous and late claims director's report. An *Amended Director's Report* containing a recommendation for the above-captioned right was filed May 19, 2006. No objections were filed. A hearing on the uncontested water right was held August 15, 2006. No party appeared in opposition.

THEREFORE, IT IS ORDERED that water right **25-14175** is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

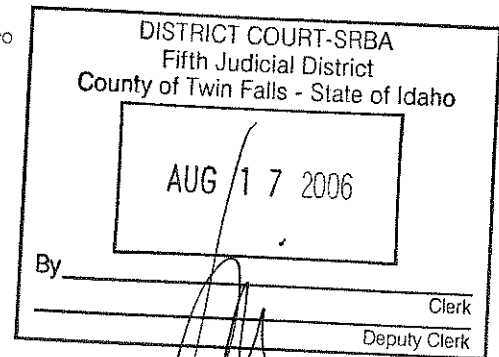
Dated: August 16, 2006.



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 25-14175



NAME AND ADDRESS: UNITED STATES OF AMERICA  
FISH AND WILDLIFE SERVICE  
DIVISION OF ENGINEERING  
911 NE 11TH AVENUE  
PORTLAND, OR 97232-4181

SOURCE: UNNAMED STREAM GRAYS LAKE

QUANTITY: 1.45 CFS

PRIORITY DATE: 09/14/1951

POINT OF DIVERSION: T04S R43E S11 SENE Within Bonneville County  
SENE

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|----------------------------|----------------|----------------|----------|
|                            | Irrigation     | 05-01 TO 10-15 | 1.45 CFS |
|                            | Stockwater     | 03-15 TO 11-15 | 0.03 CFS |

PLACE OF USE: Irrigation Within Bonneville County  
T04S R43E S11 LOT 1 (NWNE) 7.9 LOT 2 (SWNE) 33.0  
SENE 5.6 LOT 3 (NWSE) 26.0  
72.5 Acres Total  
Stockwater Within Bonneville County  
Same as Irrigation  
STOCKWATER same as IRRIGATION

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER  
USE 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 DECREE FOR UNCONTESTED WATER RIGHT BASED ON STATE-LAW was mailed on August 17, 2006, with sufficient first-class postage to the following:

UNITED STATES OF AMERICA

Represented by:

US DEPARTMENT OF JUSTICE

ENVIRONMENT & NATL' RESOURCES

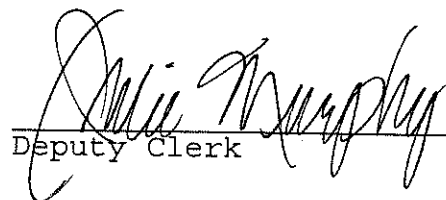
550 WEST FORT STREET, MSC 033

BOISE, ID 83724

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line. The signature is fluid and stylized, with the first name "Julie" being more prominent than the last name "Murphy".