

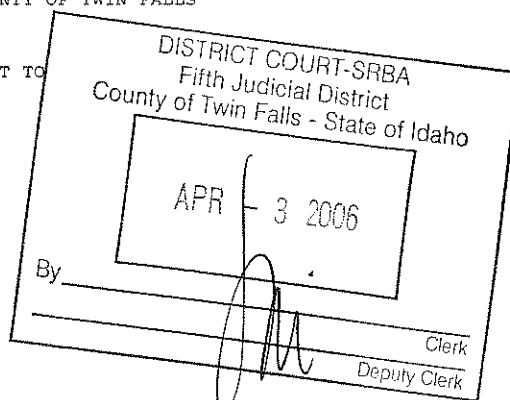
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

AMENDED

In Re SRBA)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 72-13093



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

SOURCE: SPRING TRIBUTARY: BEAR CREEK

QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 04/17/1926

WATER RIGHT CLAIMED BASED ON FEDERAL LAW WITH AN APRIL 17, 1926
DATE OF PRIORITY PURSUANT TO AN EXECUTIVE ORDER SIGNED THAT SAME
DATE AND KNOWN AS PUBLIC WATER RESERVE 107.

POINT OF DIVERSION: T09N R20E S08 NESENW Within 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
T09N R20E S08 SENW

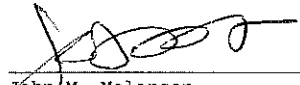
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.



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

APR - 2006

DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
County of Twin Falls - State of Idaho

APR - 3 2006

By _____
CLERK

Deputy Clerk

COUNTY OF TWIN FALLS

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

**SUBCASE NOS.: See Attached Exhibit A
(Basin 72 USDI-BLM)**

ORDER OF AMENDED PARTIAL DECREES

On December 1, 2000, *Partial Decrees* were issued for the above-captioned water rights. Thereafter, it came to the attention of the SRBA Court that each of these *Partial Decrees* contained a clerical error regarding the basis of claim. On November 30, 2005, an *Order Setting Aside Partial Decrees* I.R.C.P. 60(a) and an *Order of Reference to Theodore R. Booth* was issued. Special Master Booth issued a *Special Master's Report and Recommendation* on February 10, 2006, recommending and amending the *Partial Decrees*. This Court has reviewed the findings of fact and conclusions of law contained in the *Special Master's Report and Recommendation* and adopts them wholly as its own.

Therefore, IT IS ORDERED that the above-captioned water rights be amended as set forth in the attached ***Amended Partial Decrees*** pursuant to I.R.C.P. 54(b). The previously issued ***Partial Decrees*** are superseded thereby.

DATED March 31, 2006

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

EXHIBIT A (BASIN 72 USDI-BLM)

Subcase Nos:

72-13093
72-13617
72-14621
72-14645
72-14711
72-15419

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF AMENDED PARTIAL DECREES was mailed on April 03, 2006, with sufficient first-class postage to the following:

USDI BLM

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, reading "Julie Murphy", is written over a horizontal line.