

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

RECORDED

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

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 29-13038

NAME AND ADDRESS: UNITED STATES OF AMERICA
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE, ID 83709-1657

SOURCE: SPRING TRIBUTARY: SINKS

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

POINT OF DIVERSION: T07S R34E S04 LOT 1 (NWNENE) Within Bannock 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 Bannock County
T07S R34E S04 LOT 1 (NENE)

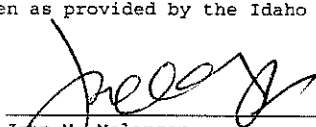
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

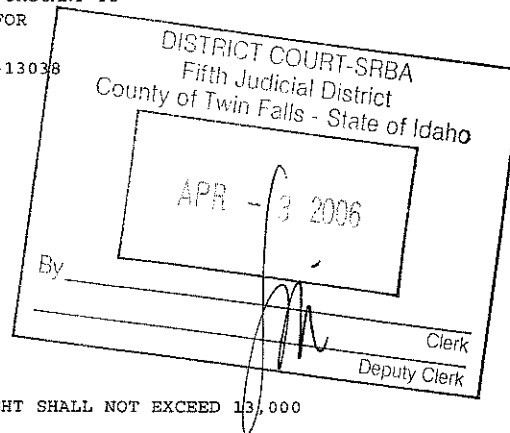
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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



RECEIVED

APR - 4 2006

DISTRICT COURT-SRBA DEPARTMENT OF
Fifth Judicial District WATER RESOURCES
County of Twin Falls - State of Idaho

APR - 3 2006

By _____ Clerk

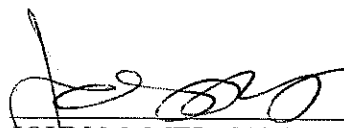
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	SUBCASE NOS.: See Attached Exhibit A
	)	(Basin 29 Set Aside)
Case No. 39576	)	
	)	ORDER OF AMENDED PARTIAL DECREES
	)	

On March 22, 2004, *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 December 6, 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

BASIN 29 - SET ASIDE

Subcase Nos:

29-12687
29-13027
29-13028
29-13029
29-13030
29-13031
29-13032
29-13033
29-13034
29-13038

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on April 03, 2006, 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

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line.