

DISTRICT COURT - SRBA
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS
TWIN FALLS CO., IDAHO
FILED

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

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 78-04197

2003 MAR 20 PM 2 37

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

SOURCE: CHAIN SPRING

IRIBUIARY: SINKS

QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.
THIS RIGHT SHALL BE USED IN CONJUNCTION WITH RIGHT NO. 78-10338
AND IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.02 CFS AND
A TOTAL QUANTITY OF 13,000 GALLONS PER DAY

PRIORITY DATE: 05/10/1906

POINT OF DIVERSION: T22N R01W S03 SWNSW Within Idaho County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	05-15 TO 11-15	0.02 CFS

PLACE OF USE: Stockwater Within Idaho County
T22N R01W S03 NWSW

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.
THE OPERATION, USE, AND ADMINISTRATION OF THIS WATER RIGHT IS
ALSO SUBJECT TO THE TERMS AND CONDITIONS OF THE STIPULATION AND
JOINT MOTION FOR ORDER APPROVING STIPULATION ENTERED INTO ON
AUGUST 29, 2002, BETWEEN THE UNITED STATES OF AMERICA AND WILLIS
DEVENY, BEIJ DEVENY AND SHINGLE CREEK LLC, FILED IN THE OFFICE
OF THE IDAHO COUNTY RECORDER AND RECORDED ON OCTOBER 31, 2002,
AS INSTRUMENT NO: 425169; THE PROVISIONS OF SUCH STIPULATION TO
APPLY FULLY TO 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



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

MICROFILMED

FEB 24 2004

SCANNED

MAR 24 2003

06/03/83

UNITED STATES OF AMERICA - USDA FOREST SERVICE NORTHERN REGION
PO BOX 7669 MISSOULA, MONTANA 59807
RON RUSSELL 329-3594 OR GAIL DAHL 329-3759

RIGHT NUMBER - 78-4197
STATE BASIN NO. - 78
COUNTY - IDAHO

F.S. RECORD ID - 17060210010D01017
NATIONAL FOREST - NEZPERCE
RANGER DISTRICT - 1

PRIMARY PURPOSE OF USE - STOCKWATER
SECONDARY PURPOSE OF USE - W

SOURCE - SPRING
RESERVOIR CAPACITY - 0.00 ACRE FEET

SOURCE NAME - CHAIN SPRING

USE NAME - CHAIN SPRING

TRIBUTARY TO -

POINT OF DIVERSION - NWSW SEC 3 22 N 1 W

NO. OF DIVERSION POINTS - 1
NO. OF USE POINTS - 1

MEANS OF DIVERSION - HEADBOX

POINT OF USE - NWSW SEC 3 22 N 1 W

VERIFIED AMS

ACRES IRRIGATED - 0
NO. OF LIVESTOCK - 312
TYPE OF LIVESTOCK - CATTLE
ALLOTMENT NO. - 106
IMPROVEMENT NO. - 0-3032
RIM NUMBER -
POTABLE WATER NO. -
DAM NUMBER -

PRIMARY USE RATE - .01 CFS
- 0.00 AC-FT/YR
SECONDARY USE RATE - .01 CFS
- 0.00 AC-FT/YR

TOTAL DIVERSION RATE - .01 CFS
- 0.00 AC-FT/YR

PERIOD OF USE - JUN JUL AUG SEP OCT
PRIORITY DATE - 19060510
BASIS FOR CLAIM - BENEFICIAL USE

NOTARIZED STATEMENT FOR THIS DOCUMENT SIGNED BY REGIONAL FORESTER,
NORTHERN REGION, ON TRANSMITTAL DOCUMENT.

NOTARIZED

AFFIDAVIT OF PUBLICATION

Hona Donaldson being first duly
office manager
sworn, says he is the _____
of the IDAHO COUNTY FREE PRESS, a weekly newspaper which
is published and issued weekly at Grangeville, Idaho County,
State of Idaho, and which is of general circulation in said county
and state; that the said notice, of which the one hereto attached
is a true copy, was published in said paper for 2 weeks,
being published 2 times, the first publication being
on the 7 day of September 19 83
and the last publication on the 14 day of
September 19 83; and that the said notice
was published in the newspaper proper and not a supplement;
that said newspaper has been continuously and uninterruptedly
published in said county during a period of more than seventy-
eight consecutive weeks prior to the first publication of said
notice or advertisement

Hona Donaldson

Subscribed and sworn to before me this 16 day
of September 1983.

[Signature] Notary Public
for State of Idaho, residing at Grangeville, Idaho

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RECEIVED
SEP 23 1983

Department of Water Resources
Western Regional Office

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78-4236 /
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ERICA
DA FOREST SE
DERAL BLDG.
K 7669, MISSOU
77

FROM Roni Walsh

INTER-DEPARTMENT MEMO --- 1

TO F.I.E 78-4197

DATE

SUBJECT

SEE File # 78-4190 for Correspondence
to this file

Roni Walsh
SIGNATURE

MICROFILM