2004 JUN 03 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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 79-11246

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

SOURCE: UNNAMED STREAM TRIBUTARY: DEER CREEK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 06/28/1934

POINT OF DIVERSION: T32N R03W S33 NENESE (Instream Ending Point) Within Nez Perce County
NENESE (Instream Beginning Point)

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 Nez Perce County
T32N R03W S33 NESE

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

2004 JUN -3 AM 9:13
TWIN FALLS DIST. SRBA
FILED CO., IDAHO

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	)	**ORDER OF PARTIAL DECREE**
	)	
Case No. 39576	)	**SUBCASES: See Attached Exhibit A (79ST/SEM)**
	)	
	)	
	)	
	)	

On March 10, 2004, a ***Special Master's Report and Recommendation*** was filed for the above-captioned water rights. No Challenges were filed to the ***Special Master's Report and Recommendation*** and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and ***SRBA Administrative Order 1***, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the ***Special Master's Report*** and wholly adopts them as its own.

Therefore, IT IS ORDERED that the above-captioned water rights are hereby **decreed** as set forth in the attached ***Partial Decrees Pursuant to I.R.C.P. 54(b)***.

DATED June 3, 2004.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

EXHIBIT A

Subcase Nos:

79-10985	79-11065	79-11155	79-11247	79-11332	79-11441
79-10989	79-11067	79-11156	79-11248	79-11334	79-11442
79-10991	79-11070	79-11157	79-11249	79-11337	79-11444
79-10992	79-11072	79-11158	79-11250	79-11339	79-11445
79-10993	79-11073	79-11160	79-11256	79-11341	79-11447
79-10994	79-11074	79-11164	79-11257	79-11345	79-11448
79-10995	79-11075	79-11165	79-11259	79-11348	79-11449
79-10996	79-11076	79-11167	79-11260	79-11351	79-11450
79-10997	79-11077	79-11168	79-11261	79-11352	79-11452
79-11000	79-11078	79-11169	79-11262	79-11356	79-11455
79-11002	79-11079	79-11170	79-11263	79-11357	79-11456
79-11003	79-11080	79-11172	79-11265	79-11358	79-11458
79-11006	79-11081	79-11178	79-11266	79-11363	79-11459
79-11008	79-11082	79-11179	79-11267	79-11364	79-11466
79-11009	79-11083	79-11180	79-11269	79-11365	79-11467
79-11012	79-11086	79-11182	79-11270	79-11367	79-11468
79-11013	79-11087	79-11185	79-11272	79-11369	79-11469
79-11014	79-11089	79-11187	79-11273	79-11370	79-11471
79-11015	79-11090	79-11188	79-11274	79-11372	79-11473
79-11016	79-11091	79-11189	79-11275	79-11373	79-11475
79-11017	79-11092	79-11190	79-11276	79-11374	79-11476
79-11018	79-11093	79-11191	79-11278	79-11376	79-11477
79-11019	79-11094	79-11193	79-11279	79-11377	79-11480
79-11020	79-11096	79-11195	79-11280	79-11378	79-11481
79-11021	79-11098	79-11196	79-11282	79-11379	79-11482
79-11022	79-11100	79-11199	79-11284	79-11380	79-11483
79-11023	79-11101	79-11201	79-11285	79-11385	79-11485
79-11024	79-11104	79-11202	79-11286	79-11386	79-11487
79-11025	79-11105	79-11203	79-11287	79-11387	79-11488
79-11026	79-11106	79-11204	79-11288	79-11388	79-11489
79-11030	79-11107	79-11205	79-11295	79-11389	79-11490
79-11033	79-11108	79-11207	79-11304	79-11391	79-11491
79-11035	79-11109	79-11208	79-11307	79-11405	79-11492
79-11037	79-11111	79-11209	79-11310	79-11409	79-11493
79-11040	79-11115	79-11211	79-11311	79-11410	79-11494
79-11041	79-11120	79-11212	79-11313	79-11412	79-11497
79-11042	79-11122	79-11213	79-11314	79-11419	79-11501
79-11043	79-11125	79-11217	79-11315	79-11420	79-11502
79-11044	79-11135	79-11221	79-11316	79-11421	79-11503
79-11047	79-11138	79-11223	79-11317	79-11422	79-11504
79-11049	79-11139	79-11224	79-11318	79-11423	79-11506
79-11050	79-11140	79-11226	79-11319	79-11424	79-11507
79-11051	79-11143	79-11227	79-11320	79-11425	79-11508
79-11052	79-11144	79-11239	79-11321	79-11427	79-11509
79-11053	79-11148	79-11240	79-11322	79-11428	79-11510
79-11054	79-11150	79-11241	79-11323	79-11430	79-11511
79-11061	79-11151	79-11243	79-11325	79-11432	79-11516
79-11062	79-11152	79-11244	79-11326	79-11434	79-11517
79-11063	79-11153	79-11245	79-11327	79-11436	79-11518
79-11064	79-11154	79-11246	79-11331	79-11439	79-11523

(Subcase list: 79ST/SEM)
4/21/04

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREE was mailed on June 03, 2004, 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

Julie Murphy
Deputy Clerk