2004 MAY 07 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 78-10852

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

SOURCE: SHEEP CREEK TRIBUTARY: LITTLE SALMON RIVER

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:

T23N R01E	S10	NWSWSW	(Instream Ending Point)	Within Idaho County
	S14	SWNWSE	(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 Idaho County

T23N R01E	S10	SWSW	SESW
		SWSE	
	S14	NWNW	SWNW
		SENW	NESW
		NWSE	
	S15	NENE	NWNE

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
MAY 11 2004
Department of Water Resources

2004 MAY -7 PM 1:43
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	)	**ORDER OF PARTIAL DECREE**
	)	
Case No. 39576	)	**Water Right Nos.: See Attached Exhibit A (LBNOTICE78)**
	)	
	)	
	)	
	)	

On March 12, 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 May 7, 2004.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

EXHIBIT A

Subcase Nos:

78-10779	78-10849	78-12023
78-10780	78-10850	78-12026
78-10784	78-10851	78-12028
78-10785	78-10852	78-12029
78-10792	78-10853	78-12032
78-10793	78-10854	
78-10794	78-10855	
78-10795	78-10857	
78-10797	78-10858	
78-10798	78-10859	
78-10799	78-10862	
78-10800	78-10863	
78-10801	78-10864	
78-10802	78-10865	
78-10803	78-10866	
78-10804	78-10867	
78-10805	78-10868	
78-10806	78-10869	
78-10807	78-10870	
78-10809	78-10871	
78-10810	78-10872	
78-10811	78-10873	
78-10812	78-10874	
78-10813	78-10876	
78-10814	78-10878	
78-10815	78-10879	
78-10816	78-10880	
78-10817	78-10881	
78-10818	78-10882	
78-10819	78-10883	
78-10820	78-10885	
78-10822	78-10886	
78-10823	78-10887	
78-10824	78-10889	
78-10825	78-10890	
78-10827	78-10891	
78-10828	78-10892	
78-10829	78-10893	
78-10831	78-10894	
78-10834	78-10895	
78-10835	78-10896	
78-10839	78-10897	
78-10840	78-10898	
78-10841	78-10899	
78-10842	78-10901	
78-10843	78-10902	
78-10844	78-10905	
78-10845	78-11093	
78-10846	78-11094	
78-10848	78-12021	

(Subcase list: LBNOTICE78)
4/20/04

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREE was mailed on May 07, 2004, with sufficient first-cla 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