2004 JUL 02 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 77-11152

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

SOURCE: SPRING TRIBUTARY: MAXWELL 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

****
* 4/17/1926 CLAIMED UNDER FEDERAL RESERVED WATER RIGHT. *
*
* THIS 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: T24N R05E S28 NENWNW Within Idaho 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 Idaho County
T24N R05E S28 NWNW

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 JUL -2 PM 3:09
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	)	**ORDER OF PARTIAL DECREE**
	)	
Case No. 39576	)	**SUBCASES: See Attached Exhibit A (77FN22PD)**
	)	
	)	
	)	
	)	

On May 14, 2004, an ***Amended Special Master's Report and Recommendation*** was filed for the above-captioned water rights. No Challenges were filed to the ***Amended 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 ***Amended 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 July 2, 2004.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

EXHIBIT A

Subcase Nos:

77-11084	77-11190	77-11296	77-11398
77-11086	77-11192	77-11298	77-11400
77-11088	77-11194	77-11300	77-11402
77-11090	77-11196	77-11302	77-11404
77-11092	77-11198	77-11304	77-11406
77-11094	77-11202	77-11306	77-11408
77-11096	77-11204	77-11308	77-11410
77-11098	77-11206	77-11310	77-11412
77-11100	77-11208	77-11312	77-11414
77-11102	77-11210	77-11314	77-11416
77-11104	77-11212	77-11316	77-11418
77-11106	77-11214	77-11318	77-11420
77-11108	77-11216	77-11320	77-11422
77-11110	77-11218	77-11322	77-11424
77-11112	77-11220	77-11324	77-11426
77-11114	77-11222	77-11326	77-11428
77-11116	77-11224	77-11328	77-11430
77-11118	77-11226	77-11330	77-11432
77-11120	77-11228	77-11332	77-11434
77-11122	77-11232	77-11334	77-11436
77-11124	77-11234	77-11336	77-11438
77-11126	77-11236	77-11338	77-11440
77-11128	77-11238	77-11340	77-11442
77-11130	77-11242	77-11342	77-11444
77-11132	77-11244	77-11344	77-11446
77-11134	77-11246	77-11346	77-11448
77-11136	77-11248	77-11348	77-11450
77-11138	77-11250	77-11350	77-11454
77-11140	77-11252	77-11352	77-11472
77-11142	77-11254	77-11354	77-11474
77-11146	77-11256	77-11356	77-11476
77-11148	77-11258	77-11358	77-11478
77-11150	77-11260	77-11362	77-11482
77-11152	77-11262	77-11364	77-11484
77-11154	77-11264	77-11366	77-11486
77-11156	77-11266	77-11368	77-11490
77-11160	77-11268	77-11370	77-11492
77-11162	77-11270	77-11372	77-11494
77-11164	77-11272	77-11374	77-11496
77-11166	77-11274	77-11376	77-11498
77-11168	77-11276	77-11378	77-13933
77-11170	77-11278	77-11380	
77-11172	77-11280	77-11382	
77-11174	77-11282	77-11384	
77-11176	77-11284	77-11386	
77-11178	77-11286	77-11388	
77-11180	77-11288	77-11390	
77-11182	77-11290	77-11392	
77-11186	77-11292	77-11394	
77-11188	77-11294	77-11396	

(Subcase list: 77FN22PD)
7/02/04

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREE was mailed on July 02, 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