2004 JUN 10 AM 8:48
FILED
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 (B74SPLIT)**

On April 9, 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 10, 2004.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

EXHIBIT A

Subcase Nos:

74-11014	74-11172	74-11383	74-11599	74-11825	74-12078
74-11016	74-11174	74-11397	74-11603	74-11827	74-12080
74-11018	74-11180	74-11401	74-11605	74-11829	74-12094
74-11020	74-11186	74-11403	74-11611	74-11849	74-12100
74-11022	74-11190	74-11405	74-11613	74-11857	74-12102
74-11028	74-11192	74-11409	74-11615	74-11881	74-12104
74-11030	74-11196	74-11415	74-11617	74-11903	74-12112
74-11032	74-11198	74-11439	74-11621	74-11905	74-12114
74-11034	74-11202	74-11441	74-11625	74-11907	74-12122
74-11036	74-11206	74-11445	74-11627	74-11910	74-12126
74-11048	74-11208	74-11447	74-11629	74-11914	74-12136
74-11052	74-11210	74-11449	74-11631	74-11920	74-12144
74-11054	74-11222	74-11451	74-11641	74-11924	74-12148
74-11056	74-11224	74-11453	74-11643	74-11926	74-12152
74-11058	74-11226	74-11455	74-11645	74-11928	74-12162
74-11060	74-11228	74-11459	74-11647	74-11930	74-12164
74-11062	74-11232	74-11461	74-11649	74-11936	74-12166
74-11064	74-11234	74-11463	74-11651	74-11938	74-12168
74-11066	74-11242	74-11467	74-11655	74-11940	74-12170
74-11068	74-11244	74-11469	74-11663	74-11942	74-12172
74-11070	74-11248	74-11471	74-11665	74-11944	74-12174
74-11072	74-11250	74-11477	74-11677	74-11946	74-12176
74-11074	74-11252	74-11479	74-11679	74-11948	74-12178
74-11076	74-11264	74-11481	74-11687	74-11950	74-12180
74-11078	74-11270	74-11483	74-11697	74-11952	74-12186
74-11080	74-11272	74-11485	74-11699	74-11954	74-12188
74-11082	74-11276	74-11487	74-11701	74-11962	74-12190
74-11084	74-11278	74-11505	74-11703	74-11964	74-12192
74-11086	74-11280	74-11507	74-11707	74-11970	74-12194
74-11092	74-11286	74-11511	74-11711	74-11980	74-12196
74-11094	74-11292	74-11513	74-11713	74-11982	74-12200
74-11096	74-11294	74-11515	74-11727	74-11984	74-12204
74-11098	74-11296	74-11517	74-11731	74-11988	74-12206
74-11102	74-11299	74-11533	74-11733	74-11992	74-12210
74-11104	74-11303	74-11535	74-11735	74-11994	74-12214
74-11108	74-11309	74-11537	74-11747	74-12016	74-12216
74-11110	74-11311	74-11539	74-11755	74-12018	74-12218
74-11112	74-11317	74-11555	74-11757	74-12030	74-12222
74-11114	74-11319	74-11559	74-11759	74-12036	74-12228
74-11116	74-11321	74-11561	74-11765	74-12040	74-12236
74-11118	74-11327	74-11569	74-11771	74-12046	74-12242
74-11120	74-11331	74-11577	74-11787	74-12050	74-12244
74-11122	74-11339	74-11581	74-11789	74-12056	74-12246
74-11124	74-11341	74-11583	74-11793	74-12058	74-12248
74-11126	74-11343	74-11587	74-11795	74-12060	74-12250
74-11132	74-11345	74-11589	74-11803	74-12062	74-12252
74-11142	74-11359	74-11591	74-11809	74-12064	74-12256
74-11148	74-11371	74-11593	74-11819	74-12066	74-12258
74-11160	74-11377	74-11595	74-11821	74-12068	74-12260
74-11168	74-11381	74-11597	74-11823	74-12074	74-12262

(Subcase list: B74SPLIT)
6/09/04

EXHIBIT A

Subcase Nos:

74-12264	74-12428	74-12598	74-12780	74-13132	74-13384
74-12266	74-12430	74-12600	74-12792	74-13134	74-13386
74-12268	74-12436	74-12604	74-12794	74-13136	74-13390
74-12270	74-12444	74-12608	74-12798	74-13156	74-13392
74-12272	74-12446	74-12610	74-12800	74-13170	74-13396
74-12274	74-12448	74-12622	74-12802	74-13178	74-13398
74-12278	74-12450	74-12626	74-12812	74-13180	74-13400
74-12280	74-12452	74-12628	74-12822	74-13184	74-13402
74-12284	74-12454	74-12632	74-12824	74-13198	74-13404
74-12286	74-12458	74-12634	74-12830	74-13200	74-13406
74-12288	74-12466	74-12636	74-12834	74-13202	74-13408
74-12290	74-12468	74-12638	74-12838	74-13206	74-13410
74-12292	74-12472	74-12648	74-12842	74-13208	74-13412
74-12294	74-12474	74-12650	74-12850	74-13224	74-13414
74-12296	74-12478	74-12652	74-12852	74-13226	74-13420
74-12298	74-12480	74-12654	74-12858	74-13228	74-13422
74-12300	74-12482	74-12656	74-12862	74-13246	74-13438
74-12302	74-12486	74-12658	74-12870	74-13248	74-13448
74-12304	74-12490	74-12662	74-12872	74-13262	74-13452
74-12306	74-12492	74-12682	74-12874	74-13268	74-13454
74-12314	74-12494	74-12690	74-12876	74-13288	74-13468
74-12316	74-12496	74-12700	74-12884	74-13290	74-13474
74-12318	74-12498	74-12704	74-12922	74-13292	74-13476
74-12320	74-12502	74-12708	74-12924	74-13294	74-13480
74-12322	74-12504	74-12714	74-12936	74-13296	74-13482
74-12326	74-12506	74-12718	74-12938	74-13298	74-13484
74-12338	74-12510	74-12722	74-12940	74-13300	74-13504
74-12340	74-12512	74-12724	74-12978	74-13302	74-13506
74-12342	74-12514	74-12726	74-12980	74-13308	74-13520
74-12344	74-12516	74-12728	74-12982	74-13310	74-13526
74-12348	74-12518	74-12730	74-12984	74-13312	74-13560
74-12350	74-12520	74-12734	74-12986	74-13314	74-13590
74-12356	74-12526	74-12736	74-12992	74-13316	74-13592
74-12358	74-12530	74-12738	74-13018	74-13318	74-13622
74-12366	74-12532	74-12740	74-13020	74-13320	74-13630
74-12368	74-12534	74-12744	74-13022	74-13322	74-13632
74-12384	74-12540	74-12746	74-13026	74-13324	74-13636
74-12392	74-12542	74-12748	74-13034	74-13326	74-13638
74-12394	74-12546	74-12750	74-13036	74-13328	74-13640
74-12396	74-12548	74-12752	74-13068	74-13330	74-13644
74-12400	74-12550	74-12756	74-13072	74-13338	74-13648
74-12402	74-12554	74-12758	74-13090	74-13356	74-13652
74-12404	74-12556	74-12760	74-13094	74-13358	74-13654
74-12410	74-12566	74-12762	74-13100	74-13366	74-13656
74-12412	74-12574	74-12764	74-13102	74-13368	74-13658
74-12414	74-12578	74-12766	74-13104	74-13374	74-13660
74-12420	74-12584	74-12768	74-13106	74-13376	74-13664
74-12422	74-12586	74-12770	74-13108	74-13378	74-13666
74-12424	74-12588	74-12776	74-13112	74-13380	74-13668
74-12426	74-12590	74-12778	74-13130	74-13382	74-13670

(Subcase list: B74SPLIT)
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EXHIBIT A

Subcase Nos:

74-13674	74-13838	74-14012	74-14778	74-14846	74-14905
74-13676	74-13842	74-14014	74-14779	74-14847	74-14906
74-13678	74-13848	74-14016	74-14781	74-14848	74-14907
74-13680	74-13852	74-14018	74-14783	74-14849	74-14908
74-13682	74-13858	74-14020	74-14787	74-14850	74-14909
74-13686	74-13860	74-14024	74-14788	74-14851	74-14910
74-13688	74-13878	74-14026	74-14790	74-14852	74-14911
74-13694	74-13880	74-14028	74-14791	74-14853	74-14913
74-13696	74-13888	74-14030	74-14792	74-14854	74-14915
74-13698	74-13890	74-14032	74-14793	74-14855	74-14916
74-13704	74-13898	74-14034	74-14794	74-14856	74-14917
74-13708	74-13912	74-14036	74-14795	74-14857	74-14918
74-13710	74-13916	74-14038	74-14796	74-14858	74-14919
74-13712	74-13918	74-14040	74-14797	74-14859	74-14920
74-13714	74-13922	74-14046	74-14798	74-14860	74-14921
74-13716	74-13926	74-14048	74-14799	74-14861	74-14922
74-13718	74-13928	74-14050	74-14800	74-14862	74-14924
74-13720	74-13930	74-14052	74-14801	74-14863	74-14926
74-13722	74-13932	74-14054	74-14802	74-14864	74-14927
74-13724	74-13934	74-14056	74-14803	74-14866	74-14928
74-13728	74-13936	74-14062	74-14805	74-14867	74-14929
74-13748	74-13940	74-14064	74-14806	74-14868	74-14931
74-13750	74-13942	74-14066	74-14814	74-14869	
74-13752	74-13944	74-14068	74-14815	74-14870	
74-13758	74-13946	74-14070	74-14816	74-14871	
74-13764	74-13948	74-14072	74-14817	74-14874	
74-13766	74-13950	74-14076	74-14819	74-14877	
74-13770	74-13954	74-14080	74-14820	74-14878	
74-13778	74-13956	74-14086	74-14821	74-14880	
74-13780	74-13958	74-14088	74-14822	74-14882	
74-13782	74-13960	74-14090	74-14824	74-14883	
74-13786	74-13962	74-14094	74-14825	74-14884	
74-13790	74-13968	74-14098	74-14826	74-14885	
74-13792	74-13974	74-14100	74-14827	74-14886	
74-13794	74-13976	74-14104	74-14828	74-14887	
74-13798	74-13978	74-14106	74-14829	74-14888	
74-13800	74-13980	74-14112	74-14830	74-14889	
74-13804	74-13982	74-14116	74-14832	74-14890	
74-13806	74-13984	74-14120	74-14833	74-14891	
74-13808	74-13986	74-14122	74-14834	74-14892	
74-13810	74-13988	74-14124	74-14835	74-14893	
74-13812	74-13990	74-14126	74-14836	74-14894	
74-13814	74-13992	74-14128	74-14837	74-14896	
74-13818	74-13998	74-14130	74-14838	74-14897	
74-13820	74-14000	74-14132	74-14840	74-14899	
74-13822	74-14002	74-14136	74-14841	74-14900	
74-13824	74-14004	74-14142	74-14842	74-14901	
74-13826	74-14006	74-14773	74-14843	74-14902	
74-13828	74-14008	74-14776	74-14844	74-14903	
74-13830	74-14010	74-14777	74-14845	74-14904	

(Subcase list: B74SPLIT)
6/09/04

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREE was mailed on June 10, 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

 Deputy 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	)	PARTIAL DECREE PURSUANT TO
	)	I.R.C.P. 54(b) FOR
Case No. 39576	)	
	)	Water Right 74-12936

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho
JUN 10 2004
By _____ Clerk
Deputy Clerk

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

SOURCE: SPRING TRIBUTARY: CLEAR 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

****
*
* THIS WATER RIGHT IS ISSUED 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: T14N R28E S11 NWSWSW Within Lemhi 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 Lemhi County
T14N R28E S11 SWSW

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