

RECEIVED  
MAY 11 2004

Department of Water Resources

2004 MAY -7 AM 10:43

DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED *mc*

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  
(PWR / 72 MRR)

On March 4, 2004, a *Special Master's Report and Recommendation on Federal Reserved Water Rights Pursuant to PWR 107* was filed for the above-captioned water rights. No Challenges were filed to the *Special Master's Report and Recommendation on Federal Reserved Water Rights Pursuant to PWR 107* 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 Recommendation on Federal Reserved Water Rights Pursuant to PWR 107* 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:

|          |          |          |          |          |          |
|----------|----------|----------|----------|----------|----------|
| 72-11769 | 72-12007 | 72-12265 | 72-12599 | 72-12895 | 72-13119 |
| 72-11779 | 72-12009 | 72-12277 | 72-12615 | 72-12897 | 72-13121 |
| 72-11787 | 72-12015 | 72-12283 | 72-12619 | 72-12899 | 72-13123 |
| 72-11789 | 72-12019 | 72-12285 | 72-12621 | 72-12901 | 72-13125 |
| 72-11791 | 72-12023 | 72-12295 | 72-12627 | 72-12903 | 72-13131 |
| 72-11799 | 72-12027 | 72-12297 | 72-12629 | 72-12909 | 72-13133 |
| 72-11803 | 72-12029 | 72-12305 | 72-12631 | 72-12911 | 72-13135 |
| 72-11805 | 72-12033 | 72-12307 | 72-12633 | 72-12913 | 72-13137 |
| 72-11813 | 72-12035 | 72-12309 | 72-12641 | 72-12915 | 72-13141 |
| 72-11817 | 72-12043 | 72-12323 | 72-12643 | 72-12917 | 72-13143 |
| 72-11819 | 72-12047 | 72-12329 | 72-12645 | 72-12919 | 72-13145 |
| 72-11825 | 72-12053 | 72-12331 | 72-12647 | 72-12921 | 72-13147 |
| 72-11833 | 72-12057 | 72-12337 | 72-12649 | 72-12923 | 72-13151 |
| 72-11835 | 72-12059 | 72-12341 | 72-12675 | 72-12925 | 72-13155 |
| 72-11837 | 72-12061 | 72-12343 | 72-12687 | 72-12927 | 72-13159 |
| 72-11839 | 72-12067 | 72-12345 | 72-12695 | 72-12929 | 72-13161 |
| 72-11841 | 72-12075 | 72-12365 | 72-12697 | 72-12933 | 72-13163 |
| 72-11843 | 72-12077 | 72-12371 | 72-12699 | 72-12935 | 72-13165 |
| 72-11847 | 72-12079 | 72-12373 | 72-12701 | 72-12937 | 72-13167 |
| 72-11849 | 72-12081 | 72-12375 | 72-12703 | 72-12953 | 72-13169 |
| 72-11855 | 72-12085 | 72-12381 | 72-12705 | 72-12955 | 72-13171 |
| 72-11857 | 72-12091 | 72-12399 | 72-12707 | 72-12961 | 72-13173 |
| 72-11859 | 72-12093 | 72-12429 | 72-12715 | 72-12983 | 72-13175 |
| 72-11861 | 72-12095 | 72-12443 | 72-12725 | 72-12989 | 72-13177 |
| 72-11863 | 72-12101 | 72-12453 | 72-12737 | 72-12991 | 72-13179 |
| 72-11865 | 72-12105 | 72-12465 | 72-12751 | 72-12995 | 72-13181 |
| 72-11867 | 72-12111 | 72-12467 | 72-12753 | 72-13005 | 72-13187 |
| 72-11877 | 72-12113 | 72-12473 | 72-12755 | 72-13007 | 72-13189 |
| 72-11881 | 72-12123 | 72-12479 | 72-12765 | 72-13009 | 72-13193 |
| 72-11883 | 72-12125 | 72-12481 | 72-12769 | 72-13011 | 72-13195 |
| 72-11897 | 72-12131 | 72-12485 | 72-12771 | 72-13013 | 72-13197 |
| 72-11911 | 72-12137 | 72-12519 | 72-12785 | 72-13029 | 72-13201 |
| 72-11917 | 72-12139 | 72-12523 | 72-12787 | 72-13033 | 72-13205 |
| 72-11919 | 72-12147 | 72-12533 | 72-12791 | 72-13037 | 72-13207 |
| 72-11927 | 72-12151 | 72-12535 | 72-12817 | 72-13039 | 72-13211 |
| 72-11937 | 72-12165 | 72-12539 | 72-12819 | 72-13043 | 72-13213 |
| 72-11941 | 72-12171 | 72-12545 | 72-12823 | 72-13069 | 72-13227 |
| 72-11943 | 72-12173 | 72-12555 | 72-12831 | 72-13071 | 72-13229 |
| 72-11955 | 72-12191 | 72-12557 | 72-12837 | 72-13073 | 72-13231 |
| 72-11957 | 72-12211 | 72-12559 | 72-12841 | 72-13085 | 72-13233 |
| 72-11961 | 72-12217 | 72-12561 | 72-12843 | 72-13087 | 72-13235 |
| 72-11969 | 72-12221 | 72-12563 | 72-12845 | 72-13091 | 72-13237 |
| 72-11971 | 72-12225 | 72-12565 | 72-12849 | 72-13095 | 72-13239 |
| 72-11973 | 72-12227 | 72-12573 | 72-12851 | 72-13097 | 72-13241 |
| 72-11975 | 72-12233 | 72-12575 | 72-12865 | 72-13107 | 72-13243 |
| 72-11979 | 72-12239 | 72-12579 | 72-12867 | 72-13109 | 72-13245 |
| 72-11981 | 72-12243 | 72-12581 | 72-12873 | 72-13111 | 72-13247 |
| 72-11983 | 72-12245 | 72-12587 | 72-12877 | 72-13113 | 72-13251 |
| 72-12001 | 72-12247 | 72-12589 | 72-12881 | 72-13115 | 72-13253 |
| 72-12005 | 72-12249 | 72-12591 | 72-12891 | 72-13117 | 72-13257 |

(Subcase list: PWR/72 MRR)  
4/26/04

## EXHIBIT A

## Subcase Nos:

|          |          |          |          |          |          |
|----------|----------|----------|----------|----------|----------|
| 72-13259 | 72-13395 | 72-13329 | 72-14183 | 72-14459 | 72-14839 |
| 72-13263 | 72-13415 | 72-13859 | 72-14197 | 72-14467 | 72-14855 |
| 72-13265 | 72-13417 | 72-13863 | 72-14199 | 72-14469 | 72-14857 |
| 72-13267 | 72-13421 | 72-13885 | 72-14203 | 72-14473 | 72-14859 |
| 72-13271 | 72-13423 | 72-13887 | 72-14205 | 72-14475 | 72-14861 |
| 72-13275 | 72-13425 | 72-13893 | 72-14217 | 72-14485 | 72-14863 |
| 72-13277 | 72-13427 | 72-13897 | 72-14229 | 72-14489 | 72-14865 |
| 72-13279 | 72-13433 | 72-13899 | 72-14231 | 72-14495 | 72-14875 |
| 72-13281 | 72-13451 | 72-13903 | 72-14233 | 72-14497 | 72-14877 |
| 72-13283 | 72-13457 | 72-13905 | 72-14235 | 72-14499 | 72-14889 |
| 72-13285 | 72-13459 | 72-13907 | 72-14239 | 72-14503 | 72-14899 |
| 72-13287 | 72-13461 | 72-13911 | 72-14241 | 72-14507 | 72-14901 |
| 72-13289 | 72-13463 | 72-13929 | 72-14243 | 72-14513 | 72-14903 |
| 72-13291 | 72-13471 | 72-13931 | 72-14245 | 72-14515 | 72-14911 |
| 72-13299 | 72-13475 | 72-13933 | 72-14247 | 72-14519 | 72-14923 |
| 72-13301 | 72-13501 | 72-13945 | 72-14257 | 72-14527 | 72-14925 |
| 72-13303 | 72-13503 | 72-13947 | 72-14255 | 72-14555 | 72-14927 |
| 72-13305 | 72-13509 | 72-13981 | 72-14267 | 72-14571 | 72-14937 |
| 72-13307 | 72-13513 | 72-13997 | 72-14273 | 72-14613 | 72-14957 |
| 72-13311 | 72-13557 | 72-14013 | 72-14279 | 72-14623 | 72-14961 |
| 72-13313 | 72-13559 | 72-14015 | 72-14281 | 72-14637 | 72-14965 |
| 72-13315 | 72-13569 | 72-14019 | 72-14293 | 72-14643 | 72-14967 |
| 72-13317 | 72-13597 | 72-14021 | 72-14295 | 72-14659 | 72-14969 |
| 72-13319 | 72-13599 | 72-14027 | 72-14299 | 72-14663 | 72-14971 |
| 72-13321 | 72-13603 | 72-14033 | 72-14301 | 72-14665 | 72-14975 |
| 72-13323 | 72-13607 | 72-14037 | 72-14307 | 72-14669 | 72-14979 |
| 72-13327 | 72-13611 | 72-14039 | 72-14309 | 72-14671 | 72-14987 |
| 72-13329 | 72-13653 | 72-14041 | 72-14311 | 72-14673 | 72-15003 |
| 72-13331 | 72-13655 | 72-14047 | 72-14315 | 72-14675 | 72-15007 |
| 72-13333 | 72-13667 | 72-14059 | 72-14319 | 72-14681 | 72-15011 |
| 72-13335 | 72-13683 | 72-14061 | 72-14323 | 72-14713 | 72-15015 |
| 72-13337 | 72-13687 | 72-14067 | 72-14329 | 72-14755 | 72-15017 |
| 72-13339 | 72-13721 | 72-14069 | 72-14337 | 72-14767 | 72-15025 |
| 72-13343 | 72-13755 | 72-14071 | 72-14341 | 72-14771 | 72-15029 |
| 72-13345 | 72-13767 | 72-14073 | 72-14345 | 72-14773 | 72-15031 |
| 72-13347 | 72-13769 | 72-14075 | 72-14349 | 72-14775 | 72-15037 |
| 72-13349 | 72-13773 | 72-14079 | 72-14363 | 72-14777 | 72-15039 |
| 72-13351 | 72-13777 | 72-14081 | 72-14367 | 72-14779 | 72-15041 |
| 72-13357 | 72-13783 | 72-14095 | 72-14379 | 72-14785 | 72-15043 |
| 72-13359 | 72-13785 | 72-14097 | 72-14397 | 72-14789 | 72-15063 |
| 72-13361 | 72-13787 | 72-14101 | 72-14399 | 72-14803 | 72-15065 |
| 72-13363 | 72-13789 | 72-14103 | 72-14401 | 72-14807 | 72-15067 |
| 72-13365 | 72-13793 | 72-14107 | 72-14413 | 72-14811 | 72-15069 |
| 72-13367 | 72-13795 | 72-14109 | 72-14423 | 72-14817 | 72-15073 |
| 72-13381 | 72-13803 | 72-14115 | 72-14431 | 72-14823 | 72-15075 |
| 72-13383 | 72-13807 | 72-14119 | 72-14437 | 72-14825 | 72-15077 |
| 72-13385 | 72-13813 | 72-14145 | 72-14439 | 72-14827 | 72-15085 |
| 72-13387 | 72-13815 | 72-14147 | 72-14449 | 72-14829 | 72-15103 |
| 72-13391 | 72-13821 | 72-14175 | 72-14455 | 72-14831 | 72-15109 |
| 72-13393 | 72-13825 | 72-14181 | 72-14457 | 72-14837 | 72-15113 |

(Subcase list: PWR/72 MRR)

4/26/04

EXHIBIT A

Subcase Nos:

|          |          |
|----------|----------|
| 72-15117 | 72-15485 |
| 72-15119 | 72-15503 |
| 72-15123 | 72-15535 |
| 72-15125 | 72-15561 |
| 72-15127 | 72-15563 |
| 72-15133 | 72-15569 |
| 72-15135 | 72-15573 |
| 72-15137 | 72-15575 |
| 72-15139 | 72-15597 |
| 72-15153 | 72-15599 |
| 72-15161 | 72-15601 |
| 72-15165 | 72-15603 |
| 72-15183 | 72-15605 |
| 72-15187 | 72-15617 |
| 72-15195 | 72-15633 |
| 72-15201 | 72-15655 |
| 72-15203 | 72-15665 |
| 72-15209 | 72-15667 |
| 72-15217 | 72-15671 |
| 72-15223 | 72-15675 |
| 72-15225 | 72-15679 |
| 72-15227 | 72-15687 |
| 72-15229 | 72-15689 |
| 72-15243 | 72-15691 |
| 72-15261 | 72-15709 |
| 72-15279 | 72-15711 |
| 72-15289 | 72-15713 |
| 72-15297 | 72-15717 |
| 72-15301 | 72-15731 |
| 72-15309 | 72-15735 |
| 72-15311 | 72-15741 |
| 72-15319 | 72-15747 |
| 72-15345 | 72-15751 |
| 72-15355 |          |
| 72-15357 |          |
| 72-15363 |          |
| 72-15381 |          |
| 72-15421 |          |
| 72-15429 |          |
| 72-15431 |          |
| 72-15433 |          |
| 72-15435 |          |
| 72-15437 |          |
| 72-15441 |          |
| 72-15447 |          |
| 72-15449 |          |
| 72-15465 |          |
| 72-15471 |          |
| 72-15473 |          |
| 72-15483 |          |

(Subcase list: PWR/72 MRR)  
4/26/04

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-class postage to the following:

STATE OF IDAHO

Represented by:  
NATURAL RESOURCES DIV CHIEF  
STATE OF IDAHO  
ATTORNEY GENERAL'S OFFICE  
PO BOX 44449  
BOISE, ID 83711-4449

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

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line. The signature is in dark ink and is positioned to the right of the printed text "Deputy Clerk".

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).

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.

PAGE 1  
May-07-2004