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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

In Re SRBA)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 79-04340

2003 APR 2 AM 10 24

NAME AND ADDRESS: USDA FOREST SERVICE
550 W FORT ST, MSC 033
BOISE, ID 83724

SOURCE: FISH DAM SPRING TRIBUTARY: CHINA CREEK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 05/01/1980

POINT OF DIVERSION: T26N R01E S32 NWNE Within Idaho County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	05-01 TO 11-30	0.02 CFS

PLACE OF USE: Stockwater Within Idaho County
T26N R01E S32 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.

Roger Burdick

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

BOX 7669, MISSOULA, MT
59807
Source: SEWELL SPR
Priority Date: 05/10/1906
Diversion Pt: NENE Sec 20
T25NR01E
Use: STOCKWATER (.01
CFS) WILDLIFE (.01 CFS)
In: NENE Sec 20 T 25N R
01E.

79-4330
UNITED STATES OF
AMERICA
USDA FOREST SERVICE,
FEDERAL BLDG., P.O.
BOX 7669, MISSOULA, MT
59807
Source: TELEPHONE SPR
Priority Date: 05/10/1906
Diversion Pt: NENW Sec 20
T25NR01E
Use: STOCKWATER (.01
CFS) WILDLIFE (.01 CFS)
In: NENW Sec 20 T 25N
R01E.

79-4331
UNITED STATES OF
AMERICA
USDA FOREST SERVICE,
FEDERAL BLDG., P.O.
BOX 7669, MISSOULA, MT
59807
Source: MAYNARD SPR
Priority Date: 05/10/1906
Diversion Pt: NENW Sec 30
T25NR01E
Use: STOCKWATER (.01
CFS) WILDLIFE (.01 CFS)
In: NENW Sec 30 T 25N R
01E.

79-4332
UNITED STATES OF
AMERICA
USDA FOREST SERVICE,
FEDERAL BLDG., P.O.
BOX 7669, MISSOULA, MT
59807
Source: LINE BLUFF SPR
Priority Date: 05/10/1906
Diversion Pt: NWNW Sec 31
T25NR01E
Use: STOCKWATER (.01
CFS) WILDLIFE (.01 CFS)
In: NWNW Sec 31 T 25N R
01E.

79-4333
UNITED STATES OF
AMERICA
USDA FOREST SERVICE,
FEDERAL BLDG., P.O.
BOX 7669, MISSOULA, MT
59807
Source: GRAVE CR
SPRING
Priority Date: 05/10/1906
Diversion Pt: NWSE Sec 34
T25NR01W
Use: STOCKWATER (.01
CFS) WILDLIFE (.01 CFS)
In: NWSE Sec 34 T 25N R
01W.

79-4334
UNITED STATES OF
AMERICA

USDA FOREST SERVICE,
FEDERAL BLDG., P.O.
BOX 7669, MISSOULA, MT
59807
Source: JOHNSON COR
SPR
Priority Date: 05/10/1906
Diversion Pt: NENE Sec 29
T26NR01E
Use: STOCKWATER (.01
CFS) WILDLIFE (.01 CFS)
In: NENE Sec 29 T 26N R
01E.

79-4340
UNITED STATES OF
AMERICA
USDA FOREST SERVICE,
FEDERAL BLDG., P.O.
BOX 7669, MISSOULA, MT
59807
Source: FISH DAM SPRING
Priority Date: 05/10/1906
Diversion Pt: SWSE Sec 29 T
26NR01E
Use: STOCKWATER (.01
CFS) WILDLIFE (.01 CFS)
In: SWSE Sec 29 T 26N R
01E.

79-4341
UNITED STATES OF
AMERICA
USDA FOREST SERVICE,
FEDERAL BLDG., P.O.
BOX 7669, MISSOULA, MT
59807
Priority Date: 05/10/1906
Diversion Pt: SWNE Sec 30
T26NR01E
Use: STOCKWATER (.01
CFS) WILDLIFE (.01 CFS)
In: SWNE Sec 30 T 26N R
01E.

79-4342
UNITED STATES OF
AMERICA
USDA FOREST SERVICE,
FEDERAL BLDG., P.O.
BOX 7669, MISSOULA, MT
59807
Source: BAKER SPRING 1
Priority Date: 05/10/1906
Diversion Pt: SWSE Sec 25 T
26NR01W
Use: STOCKWATER (.01
CFS) WILDLIFE (.01 CFS)
In: SWSE Sec 25 T 26N R
01W.

79-4343
UNITED STATES OF
AMERICA
USDA FOREST SERVICE,
FEDERAL BLDG., P.O.
BOX 7669, MISSOULA, MT
59807
Source: PHILLIPS RID SP
Priority Date: 05/10/1906
Diversion Pt: NENW Sec 36
T26NR01W
Use: STOCKWATER (.01
CFS) WILDLIFE (.01 CFS)
In: NENW Sec 36 T 26N R
01W.

CFS) WILDLIFE (.01 CFS)
In: NWSW Sec 29 T 27N R
01E.

79-4349
UNITED STATES OF
AMERICA
USDA FOREST SERVICE,
FEDERAL BLDG., P.O.
BOX 7669, MISSOULA, MT
59807
Source: EAST FKS SPRING
Priority Date: 05/10/1906
Diversion Pt: SENE Sec 30 T
27NR01E
Use: STOCKWATER (.01
CFS) WILDLIFE (.01 CFS)
In: SENE Sec 30 T 27N R
01E.

79-4350
UNITED STATES OF
AMERICA
USDA FOREST SERVICE,
FEDERAL BLDG., P.O.
BOX 7669, MISSOULA, MT
59807
Source: BULL SPRING
Priority Date: 05/10/1906
Diversion Pt: NENW Sec 31
T27NR01E
Use: STOCKWATER (.01
CFS) WILDLIFE (.01 CFS)
In: NENW Sec 31 T 27N R
01E.

79-4351
UNITED STATES OF
AMERICA
USDA FOREST SERVICE,
FEDERAL BLDG., P.O.
BOX 7669, MISSOULA, MT
59807
Source: HUCKLEBERRY
SPR
Priority Date: 05/10/1906
Diversion Pt: NWNE Sec 32
T27NR01E
Use: STOCKWATER (.01
CFS) WILDLIFE (.01 CFS)
In: NWNE Sec 32 T 27N R
01E.

79-4352
UNITED STATES OF
AMERICA
USDA FOREST SERVICE,
FEDERAL BLDG., P.O.
BOX 7669, MISSOULA, MT
59807
Source: ROCK SPRING
Priority Date: 05/10/1906
Diversion Pt: SWNW Sec 32
T27NR01E
Use: STOCKWATER (.01
CFS) WILDLIFE (.01 CFS)
In: SWNW Sec 32 T 27N R
01E.

79-4353
UNITED STATES OF
AMERICA
USDA FOREST SERVICE,
FEDERAL BLDG., P.O.
BOX 7669, MISSOULA, MT
59807
Source: BUNCHGRASS SPR
Priority Date: 05/10/1906
Diversion Pt: SESW Sec 32 T

Source: DEER CREEK
Priority Date: 05/10/1906
Diversion Pt: NWSE Sec 34
T27NR01W

Use: STOCKWATER (.01
CFS) WILDLIFE (.01 CFS)
In: NWSE Sec 11 T 27N R
01W.

79-4358
UNITED STATES OF
AMERICA
USDA FOREST SERVICE,
FEDERAL BLDG., P.O.
BOX 7669, MISSOULA, MT
59807
Source: SUNNYSIDE SPR
Priority Date: 05/10/1906
Diversion Pt: NENE Sec 12
T27NR01W
Use: STOCKWATER (.01
CFS) WILDLIFE (.01 CFS)
In: NENE Sec 12 T 27N R
01W.

79-4360
UNITED STATES OF
AMERICA
USDA FOREST SERVICE,
FEDERAL BLDG., P.O.
BOX 7669, MISSOULA, MT
59807
Source: MOTTHORN
SPRING
Priority Date: 05/10/1906
Diversion Pt: SENW Sec 13
T27NR01W
Use: STOCKWATER (.01
CFS) WILDLIFE (.01 CFS)
In: SENW Sec 13 T 27N R
01W.

79-4361
UNITED STATES OF
AMERICA
USDA FOREST SERVICE,
FEDERAL BLDG., P.O.
BOX 7669, MISSOULA, MT
59807
Source: PAPOOSE BSN
SPR
Priority Date: 05/10/1906
Diversion Pt: NENW Sec 02
T27NR01W
Use: STOCKWATER (.01
CFS) WILDLIFE (.01 CFS)
In: NENW Sec 02 T 27N R
01W.

79-4362
UNITED STATES OF
AMERICA
USDA FOREST SERVICE,
FEDERAL BLDG., P.O.
BOX 7669, MISSOULA, MT
59807
Source: PITTSBURG SPR
Priority Date: 05/10/1906
Diversion Pt: NWNW Sec 19
T27NR01E
Use: STOCKWATER (.01
CFS) WILDLIFE (.01 CFS)
In: NWNW Sec 19 T 27N R
01E.

79-4363
UNITED STATES OF
AMERICA
USDA FOREST SERVICE,

MICROFILMED

Priority Date: 05/10/1906
Diversion Pt: NWSE Sec 11
T 27N R 01W
Use: STOCKWATER (.01
CFS) WILDLIFE (.01 CFS)
In: NWSE Sec 11 T 27N R
01W.

79-4359
UNITED STATES OF
AMERICA
USDA FOREST SERVICE,
FEDERAL BLDG., P.O.
BOX 7669, MISSOULA, MT
59807

Source: SUNNYSIDE SPR
Priority Date: 05/10/1906
Diversion Pt: NENE Sec 12
T 27N R 01W
Use: STOCKWATER (.01
CFS) WILDLIFE (.01 CFS)
In: NENE Sec 12 T 27N R
01W.

79-4360
UNITED STATES OF
AMERICA
USDA FOREST SERVICE,
FEDERAL BLDG., P.O.
BOX 7669, MISSOULA, MT
59807
Source: MOTTHORN
SPRING
Priority Date: 05/10/1906
Diversion Pt: SENW Sec 13
T 27N R 01W
Use: STOCKWATER (.01
CFS) WILDLIFE (.01 CFS)
In: SENW Sec 13 T 27N R
01W.

79-4361
UNITED STATES OF
AMERICA
USDA FOREST SERVICE,
FEDERAL BLDG., P.O.
BOX 7669, MISSOULA, MT
59807
Source: PAPOOSE BSN
SPR
Priority Date: 05/10/1906
Diversion Pt: NENW Sec 02
T 27N R 01W
Use: STOCKWATER (.01
CFS) WILDLIFE (.01 CFS)
In: NENW Sec 02 T 27N R
01W.

79-4362
UNITED STATES OF
AMERICA
USDA FOREST SERVICE,
FEDERAL BLDG., P.O.
BOX 7669, MISSOULA, MT
59807
Source: PITTSBURG SPR
Priority Date: 05/10/1906
Diversion Pt: NWNW Sec 19
T 27N R 01E
Use: STOCKWATER (.01
CFS) WILDLIFE (.01 CFS)
In: NWNW Sec 19 T 27N R
01E.

79-4363
UNITED STATES OF
AMERICA
USDA FOREST SERVICE,
FEDERAL BLDG., P.O.
BOX 7669, MISSOULA, MT
59807
Source: LOST SPRING
Priority Date: 05/10/1906

AFFIDAVIT OF PUBLICATION

.....Hona Donaldson..... being first duly
sworn, says he is the office manager.....
of the IDAHO COUNTY FREE PRESS, a weekly newspaper which
is published and issued weekly at Grangeville, Idaho County,
State of Idaho, and which is of general circulation in said county
and state; that the said notice, of which the one hereto attached
is a true copy, was published in said paper for 2..... weeks,
being published 2..... times, the first publication being
on the 26 day of October, 19 83,
and the last publication on the 2..... day of
November, 19 83; and that the said notice
was published in the newspaper proper and not a supplement;
that said newspaper has been continuously and uninterruptedly
published in said county during a period of more than seventy-
eight consecutive weeks prior to the first publication of said
notice or advertisement.

.....Hona Donaldson.....
Subscribed and sworn to before me this 2..... day
of November....., 19 83

.....[Signature]....., Notary Public
for State of Idaho, resi at Grangeville, Idaho.

MICROFILMED

MICROFILMED

06/03/83

UNITED STATES OF AMERICA - USDA FOREST SERVICE NORTHERN REGION
PO BOX 7669 MISSOULA, MONTANA 59807
RON RUSSELL 329-3594 OR GAIL DAHL 329-3759

RIGHT NUMBER - 79-4340
STATE BASIN NO. - 79
COUNTY - IDAHO

F.S. RECORD ID - 17060209040D02017
NATIONAL FOREST - NEZPERCE
RANGER DISTRICT - 1

PRIMARY PURPOSE OF USE - STOCKWATER
SECONDARY PURPOSE OF USE - W

SOURCE - SPRING
RESERVOIR CAPACITY - 0.00 ACRE FEET

SOURCE NAME - FISH DAM SPRING

USE NAME - FISH DAM SPRING

TRIBUTARY TO -

POINT OF DIVERSION - SWSE SEC 29 25 N 1 E

NO. OF DIVERSION POINTS - 1
NO. OF USE POINTS - 1

MEANS OF DIVERSION - HEADBOX

POINT OF USE - SWSE SEC 29 25 N 1 E

ACRES IRRIGATED - 0
NO. OF LIVESTOCK - 755
TYPE OF LIVESTOCK - CATTLE
ALLOTMENT NO. - 104
IMPROVEMENT NO. - 0-3606
RIM NUMBER -
POTABLE WATER NO. -
DAM NUMBER -

VERIFIED AMS

PRIMARY USE RATE - .01 CFS
- 0.00 AC-FT/YR
SECONDARY USE RATE - .01 CFS
- 0.00 AC-FT/YR
TOTAL DIVERSION RATE - .01 CFS
- 0.00 AC-FT/YR

PERIOD OF USE - MAY JUN JUL AUG SEP OCT NOV
PRIORITY DATE - 19060510
BASIS FOR CLAIM - BENEFICIAL USE

NOTARIZED STATEMENT FOR THIS DOCUMENT SIGNED BY REGIONAL FORESTER,
NORTHERN REGION, ON TRANSMITTAL DOCUMENT.

MICROFILMED

INTER-DEPARTMENT MEMO — 1

FROM Roni Walsh

DATE

TO File

SUBJECT

See file # 79-4291 for correspondence
relating to this water right number.

Roni Walsh
SIGNATURE

MICROFILMED