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

In Re SRBA)
Case No. 39576)

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

2003 APR 2 AM 10 23

Water Right 79-04303

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

SOURCE: SPRING TRIBUTARY: MC KINZIE CREEK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 05/01/1877

POINT OF DIVERSION: T27N R02E S10 SWNE Within Idaho County

PURPOSE AND	PURPOSE OF USE	PERIOD OF USE	QUANTITY
PERIOD OF USE:	Stockwater	06-01 TO 10-31	0.02 CFS

PLACE OF USE: Stockwater Within Idaho County
T27N R02E S10 SWNE

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
Presiding Judge of the
Snake River Basin Adjudication

CE OF CLAIMS BOX 7669, MISSOULA, MT
TERRIGHTS 59807
 Following claim(s)
 filed on water
 created by diversion
 Official use:
 79-4291 ✓
UNITED STATES OF AMERICA
 USDA FOREST SERVICE,
 FEDERAL BLDG., P.O.
 BOX 7669, MISSOULA, MT
 59807
 Source: CHAMBERLIN
 SPR
 Priority Date: 05/22/1905
 Diversion Pt: NWSW Sec 1 T
 26N R 02E
 Use: STOCKWATER (.01
 CFS) WILDLIFE (.01 CFS)
 In: NWSW Sec 01 T 26N R
 02E.
 79-4292 ✓
UNITED STATES OF AMERICA
 USDA FOREST SERVICE,
 FEDERAL BLDG., P.O.
 BOX 7669, MISSOULA, MT
 59807
 Source: BEAR GULCH SP
 Priority Date: 05/22/1905
 Diversion Pt: NENW Sec 10
 T 26N R 02E
 Use: STOCKWATER (.01
 CFS) WILDLIFE (.01 CFS)
 In: NENW Sec 20 T 26N R +
 02E.
 79-4293 ✓
UNITED STATES OF AMERICA
 USDA FOREST SERVICE,
 FEDERAL BLDG., P.O.
 BOX 7669, MISSOULA, MT
 59807
 Source: WATERSPOUT
 SPR
 Priority Date: 05/22/1905
 Diversion Pt: NWNE Sec 05
 T 26N R 03E
 Use: STOCKWATER (.01
 CFS) WILDLIFE (.01 CFS)
 In: NWNE Sec 05 T 26N R
 03E.
 79-4294 ✓
UNITED STATES OF AMERICA
 USDA FOREST SERVICE,
 FEDERAL BLDG., P.O.
 BOX 7669, MISSOULA, MT
 59807
 Source: TRAIL SPR
 Priority Date: 05/22/1905
 Diversion Pt: NENW Sec 26
 T 27N R 02E
 Use: STOCKWATER (.01
 CFS) WILDLIFE (.01 CFS)
 In: NENW Sec 26 T 27N R
 02E.
 79-4295 ✓
UNITED STATES OF AMERICA
 USDA FOREST SERVICE,
 FEDERAL BLDG., P.O.
 BOX 7669, MISSOULA, MT
 59807
 Source: UP HURLEY CR SP
 Priority Date: 05/22/1905
 Diversion Pt: SWSW Sec 23 T
 27N R 02E
 Use: STOCKWATER (.01
 CFS) WILDLIFE (.01 CFS)
 In: SWSW Sec 23 T 27N R
 02E.
 79-4305 ✓
UNITED STATES OF AMERICA
 USDA FOREST SERVICE,
 FEDERAL BLDG., P.O.
 BOX 7669, MISSOULA, MT
 59807
 Source: DEAD HORSE SPR
 Priority Date: 05/22/1905
 Diversion Pt: NESE Sec 04 T
 26N R 03E
 Use: STOCKWATER (.01
 CFS) WILDLIFE (.01 CFS)
 In: NESE Sec 04 T 26N R
 03E.
 79-4301 ✓
UNITED STATES OF AMERICA
 USDA FOREST SERVICE,
 FEDERAL BLDG., P.O.
 BOX 7669, MISSOULA, MT
 59807
 Priority Date: 05/22/1905
 Diversion Pt: SESW Sec 26 T
 27N R 02E
 Use: STOCKWATER (.01
 CFS) WILDLIFE (.01 CFS)
 In: SESW Sec 26 T 27N R
 02E.
 79-4302 ✓
UNITED STATES OF AMERICA
 USDA FOREST SERVICE,
 FEDERAL BLDG., P.O.
 BOX 7669, MISSOULA, MT
 59807
 Source: BOUFFORD
 SPRING
 Priority Date: 05/22/1905
 Diversion Pt: NENW Sec 10
 T 27N R 02E
 Use: STOCKWATER (.01
 CFS) WILDLIFE (.01 CFS)
 In: NENW Sec 10 T 27N R
 02E.
 79-4303 ✓
UNITED STATES OF AMERICA
 USDA FOREST SERVICE,
 FEDERAL BLDG., P.O.
 BOX 7669, MISSOULA, MT
 59807
 Source: MCKINZIE
 SPRING
 Priority Date: 05/22/1905
 Diversion Pt: SWNE Sec 10
 T 27N R 02E
 Use: STOCKWATER (.01
 CFS) WILDLIFE (.01 CFS)
 In: SWNE Sec 10 T 27N R
 02E.
 79-4304 ✓
UNITED STATES OF AMERICA
 USDA FOREST SERVICE,
 FEDERAL BLDG., P.O.
 BOX 7669, MISSOULA, MT
 59807
 Source: SHELLSLICK SP
 Priority Date: 05/22/1905
 Diversion Pt: NWSW Sec 36
 T 27N R 02E
 Use: STOCKWATER (.01
 CFS) WILDLIFE (.01 CFS)
 In: NWSW Sec 36 T 27N R
 02E.
 79-4314 ✓
UNITED STATES OF AMERICA
 USDA FOREST SERVICE,
 FEDERAL BLDG., P.O.
 BOX 7669, MISSOULA, MT
 59807
 Source: DAIRY MTN LO SP
 Priority Date: 05/22/1905
 Diversion Pt: NWNW Sec 17
 T 27N R 03E
 Use: STOCKWATER (.01
 CFS) WILDLIFE (.01 CFS)
 In: NWNW Sec 17 T 27N R
 03E.
 79-4311 ✓
UNITED STATES OF AMERICA
 USDA FOREST SERVICE,
 FEDERAL BLDG., P.O.
 BOX 7669, MISSOULA, MT
 59807
 Source: LOW NF SLATE SP
 Priority Date: 05/22/1905
 Diversion Pt: NESE Sec 20 T
 27N R 03E
 Use: STOCKWATER (.01
 CFS) WILDLIFE (.01 CFS)
 In: NESE Sec 20 T 27N R
 03E.
 79-4311 ✓
UNITED STATES OF AMERICA
 USDA FOREST SERVICE,
 FEDERAL BLDG., P.O.
 BOX 7669, MISSOULA, MT
 59807
 Source: SLY SPRING
 Priority Date: 05/22/1905
 Diversion Pt: NENW Sec 03
 T 27N R 02E
 Use: STOCKWATER (.01
 CFS) WILDLIFE (.01 CFS)
 In: NENW Sec 03 T 27N R
 02E.
 79-4312 ✓
UNITED STATES OF AMERICA
 USDA FOREST SERVICE,
 FEDERAL BLDG., P.O.
 BOX 7669, MISSOULA, MT
 59807
 Source: BOUNDARY
 SPRING
 Priority Date: 05/22/1905
 Diversion Pt: NWNW Sec 03
 T 27N R 02E
 Use: STOCKWATER (.01
 CFS) WILDLIFE (.01 CFS)
 In: NWNW Sec 03 T 27N R
 02E.
 79-4313 ✓
UNITED STATES OF AMERICA
 USDA FOREST SERVICE,
 FEDERAL BLDG., P.O.
 BOX 7669, MISSOULA, MT
 59807
 Source: SHIELDS LICK SP
 Priority Date: 05/22/1905
 Diversion Pt: NWSW Sec 36
 T 27N R 02E
 Use: STOCKWATER (.01
 CFS) WILDLIFE (.01 CFS)
 In: NWSW Sec 36 T 27N R
 02E.
 79-4314 ✓
UNITED STATES OF AMERICA
 USDA FOREST SERVICE,
 FEDERAL BLDG., P.O.
 BOX 7669, MISSOULA, MT
 59807
 Source: MARTIN SPRING
 Priority Date: 05/22/1905
 Diversion Pt: NWNW Sec 06
 T 25N R 02E
 Use: STOCKWATER (.01
 CFS) WILDLIFE (.01 CFS)
 In: NWNW Sec 06 T 25N R
 02E.
 79-4322 ✓
UNITED STATES OF AMERICA
 USDA FOREST SERVICE,
 FEDERAL BLDG., P.O.
 BOX 7669, MISSOULA, MT
 59807
 Source: FIDDLE CR RES
 TRIB. TO FIDDLE CR
 Priority Date: 05/01/1909
 Diversion Pt: NESW Sec 18
 T 25N R 02E
 Use: STOCKWATER (.24
 AC-FT/YR) WILDLIFE
 (.24 AC-FT/YR)
 In: NESW Sec 18 T 25N R
 02E.
 79-4322 ✓
UNITED STATES OF AMERICA
 USDA FOREST SERVICE,
 FEDERAL BLDG., P.O.
 BOX 7669, MISSOULA, MT
 59807
 Source: M. GILLSU SPR
 Priority Date: 05/10/1906
 Diversion Pt: SESE Sec 32 T
 26N R 01E
 Use: STOCKWATER (.01
 CFS) WILDLIFE (.01 CFS)
 In: SESE Sec 32 T 26N R 01E.
 79-4324 ✓
UNITED STATES OF AMERICA
 USDA FOREST SERVICE,
 FEDERAL BLDG., P.O.
 BOX 7669, MISSOULA, MT
 59807
 Source: WICKIUP SPRING

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: MOTHORN

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

.....Mona 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.

Mona Donaldson

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

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

MICROFILMED

RECORDED
INDEXED

Department of Natural Resources
P.O. Box 100, Boise, Idaho

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 - 79-4303
STATE BASIN NO. - 79
COUNTY - IDAHO

F.S. RECORD ID - 17060209020001517
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 - MCKINZIE SPRING

USE NAME - MCKINZIE SPRING

TRIBUTARY TO -

POINT OF DIVERSION - SWNE SEC 10 27 N 2 E

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

MEANS OF DIVERSION - HEADBOX

POINT OF USE - SWNE SEC 10 27 N 2 E

ACRES IRRIGATED - 0
NO. OF LIVESTOCK - 477
TYPE OF LIVESTOCK - CATTLE
ALLOTMENT NO. - 312
IMPROVEMENT NO. - 0-3104
RIM NUMBER -
POTABLE WATER NO. -
DAM NUMBER -

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 - JUN JUL AUG SEP OCT
PRIORITY DATE - 19050522
BASIS FOR CLAIM - BENEFICIAL USE

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

VERIFIED AMS

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