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DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO

2003 APR 2 AM 10 23

In Re SRBA

Case No. 39576

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

Water Right 79-04301

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

SOURCE: SPRING TRIBUTARY: SLATE 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 S26 NESW Within Idaho County

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

PLACE OF USE: Stockwater Within Idaho County
T27N R02E S26 NESW

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

SRBA PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 79-04301 File Number: 00040

SCANNED
APR 10 2003

PAGE 1
Jan-28-2003

79-4290 ✓
VICE OF CLAIMS
WATER RIGHTS
allowing claim(s)
an filed on water
created by diversion
confidential 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: NWN Sec 05
T 26N R 03E
Use: STOCKWATER (.01
CFS) WILDLIFE (.01 CFS)
In: NWN 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

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: MCKENZIE
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: 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

79-4310 ✓
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: SHELLS 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: 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)

25N R 03E
Use: STOCKWATER (.01
CFS) WILDLIFE (.01 CFS)
In: SENE Sec 04 T 25N R
03E.

79-4320 ✓
UNITED STATES OF AMERICA
USDA FOREST SERVICE,
FEDERAL BLDG., P.O.
BOX 7669, MISSOULA, MT
59807
Source: CHAIR CR SP DEV
Priority Date: 05/22/1905
Diversion Pt: SENW Sec 25
T 25N R 02E
Use: STOCKWATER (.01
CFS) WILDLIFE (.01 CFS)
In: SENW Sec 25 T 25N R
02E.

79-4321 ✓
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: 05/01/1905
Diversion Pt: NESW Sec 18
T 25N R 02E
Use: STOCKWATER (8.24
AC-FT/YR) WILDLIFE
(8.24 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: 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.

79-4323 ✓
UNITED STATES OF AMERICA
USDA FOREST SERVICE,
FEDERAL BLDG., P.O.
BOX 7669, MISSOULA, MT
59807
Source: M. GILLSUS SPR
Priority Date: 05/10/1905
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

MICROFILME

Priority Date: 05/10/1906
Diversiun 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
Diversiun 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
Diversiun 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
Diversiun 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
Diversiun 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

Nona 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 83,
and the last publication on the 2 day of
November 83, 19 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.

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

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

Deposited by _____
Notary Public, State of Idaho

MICROFILM

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 - 79-4301
STATE BASIN NO. - 79
COUNTY - IDAHO

F.S. RECORD ID - 17060209020D01317
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 - P W SPRING

USE NAME - P W SPRING

TRIBUTARY TO -

POINT OF DIVERSION - SESW SEC 26 27 N 2 E

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

MEANS OF DIVERSION - HEADBOX

POINT OF USE - SESW SEC 26 27 N 2 E

ACRES IRRIGATED - 0
NO. OF LIVESTOCK - 477
TYPE OF LIVESTOCK - CATTLE
ALLOTMENT NO. - 312
IMPROVEMENT NO. - 0-3102
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

MICROFILM