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MAY 11 2004

Department of Water Resources

2004 MAY -7 AM 10:19

FILED - SRBA
TWIN FALLS CO., 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

Case No. 39576

) ORDER OF PARTIAL DECREE

) For Water Right: 75-13300

On March 9, 2004, a *Special Master's Report and Recommendation* was filed for water right 75-13300. 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 water right 75-13300 be **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED May 7, 2004.


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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 75-13300

2004 MAY -7 AM 10:19

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

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

SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 06/28/1934

POINT OF DIVERSION: T16N R20E S24 LOT 2 () (Instream Beginning Point) Within Lemhi County
LOT 5 () (Instream Beginning Point)
LOT 7 () (Instream Beginning Point)
LOT 5 () (Instream Ending Point)
LOT 7 () (Instream Ending Point)
R21E S05 LOT 2 () (Instream Beginning Point)
LOT 9 () (Instream Ending Point)
T17N R21E S08 LOT 2 () (Instream Ending Point)
S09 LOT 4 () (Instream Beginning Point)
S17 LOT 10 () (Instream Beginning Point)
S20 LOT 1 () (Instream Beginning Point)
LOT 10 () (Instream Beginning Point)
LOT 1 () (Instream Ending Point)
LOT 10 () (Instream Ending Point)
S29 LOT 3 () (Instream Ending Point)
S32 LOT 2 () (Instream Beginning Point)
LOT 6 () (Instream Ending Point)
T18N R21E S03 LOT 6 () (Instream Beginning Point)
LOT 6 () (Instream Ending Point)
S09 LOT 4 () (Instream Beginning Point)
S10 LOT 4 () (Instream Ending Point)
S15 LOT 5 () (Instream Beginning Point)
LOT 5 () (Instream Ending Point)
S21 LOT 2 () (Instream Beginning Point)
LOT 2 () (Instream Ending Point)
S28 LOT 1 () (Instream Ending Point)
T19N R21E S11 LOT 3 () (Instream Ending Point)
S14 LOT 4 () (Instream Beginning Point)
LOT 8 () (Instream Ending Point)
S27 LOT 10 () (Instream Beginning Point)
S34 LOT 6 () (Instream Beginning Point)
LOT 2 () (Instream Ending Point)
T20N R21E S25 LOT 9 () (Instream Beginning Point)
LOT 9 () (Instream Ending Point)
S35 LOT 5 () (Instream Beginning Point)
LOT 4 () (Instream Ending Point)
R22E S06 LOT 1 () (Instream Beginning Point)
LOT 1 () (Instream Ending Point)
LOT 10 () (Instream Ending Point)
S07 LOT 20 () (Instream Beginning Point)
T21N R21E S13 LOT 2 () (Instream Beginning Point)
R22E S07 NWNW () (Instream Ending Point)
S31 LOT 13 () (Instream Beginning Point)
LOT 15 () (Instream Ending Point)
T22N R22E S06 LOT 15 () (Instream Ending Point)

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

POINT OF DIVERSION (continued)

S07 LOT 15	()	(Instream Beginning Point)
S29 LOT 2	()	(Instream Ending Point)
S32 LOT 2	()	(Instream Beginning Point)
T23N R21E S01 LOT 7	()	(Instream Beginning Point)
LOT 7	()	(Instream Ending Point)
S12 LOT 7	()	(Instream Beginning Point)
LOT 7	()	(Instream Ending Point)
R22E S19 LOT 6	()	(Instream Beginning Point)
LOT 4	()	(Instream Ending Point)
S31 LOT 8	()	(Instream Beginning Point)
LOT 5	()	(Instream Ending Point)

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

Stockwater

PERIOD OF USE

01-01 TO 12-31

QUANTITY

0.02 CFS

PLACE OF USE:

Stockwater

Within Lemhi County

	SESE	
T16N R20E S13		
S24 LOT 2	()	LOT 5 ()
LOT 7	()	
R21E S05 LOT 2	()	LOT 9 ()
LOT 10	()	
S08 LOT 2	()	LOT 3 ()
LOT 4	()	LOT 5 ()
LOT 6	()	LOT 7 ()
LOT 8	()	
S17 LOT 1	()	LOT 2 ()
LOT 3	()	
S18 LOT 3	()	LOT 4 ()
LOT 5	()	LOT 6 ()
LOT 8	()	LOT 10 ()
LOT 11	()	
T17N R21E S04 LOT 1	()	LOT 4 ()
LOT 5	()	LOT 6 ()
LOT 7	()	LOT 8 ()
LOT 10	()	LOT 11 ()
LOT 12	()	
S08 LOT 2	()	LOT 7 ()
LOT 8	()	
S09 LOT 1	()	LOT 4 ()
S17 LOT 10	()	
S20 LOT 1	()	LOT 10 ()
S28 LOT 1	()	LOT 2 ()
S29 LOT 3	()	LOT 6 ()
LOT 7	()	LOT 8 ()
S32 LOT 2	()	LOT 5 ()
LOT 6	()	LOT 7 ()
T18N R21E S03 LOT 6	()	
S09 LOT 4	()	
S10 LOT 3	()	LOT 4 ()
S15 LOT 5	()	
S21 LOT 2	()	
S28 LOT 1	()	LOT 3 ()
LOT 4	()	LOT 5 ()
LOT 6	()	LOT 7 ()
LOT 8	()	
S33 LOT 1	()	LOT 2 ()
LOT 4	()	LOT 5 ()
LOT 7	()	LOT 8 ()
T19N R21E S11 LOT 3	()	LOT 4 ()
LOT 5	()	LOT 6 ()
LOT 7	()	LOT 8 ()
LOT 9	()	LOT 10 ()

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

S14	LOT 1	()	LOT 2	()
	LOT 3	()	LOT 4	()
	LOT 7	()	LOT 8	()
S22	LOT 1	()	LOT 2	()
	LOT 3	()	LOT 4	()
	LOT 5	()		
S23	LOT 1	()	LOT 2	()
	LOT 3	()	LOT 4	()
	LOT 5	()	LOT 8	()
	LOT 9	()		
S27	LOT 1	()	LOT 2	()
	LOT 3	()	LOT 4	()
	LOT 5	()	LOT 10	()
S34	LOT 2	()	LOT 3	()
	LOT 4	()	LOT 6	()
T20N R21E	S25	LOT 9 ()		
	S35	LOT 1 ()	LOT 4	()
		LOT 5 ()		
R22E	S06	LOT 1 ()	LOT 10	()
		LOT 12 ()	LOT 14	()
S07	LOT 8	()	LOT 12	()
	LOT 17	()	LOT 18	()
	LOT 19	()	LOT 20	()
T21N R21E	S12	LOT 2 ()	LOT 3	()
		LOT 4 ()		
	S13	LOT 1 ()	LOT 2	()
R22E	S07	NWNW	SWNW	
	S31	LOT 13 ()	LOT 15	()
T22N R22E	S06	LOT 15 ()		
	S07	LOT 14 ()	LOT 15	()
	S29	LOT 2 ()	LOT 4	()
		LOT 6 ()	LOT 8	()
	S32	LOT 2 ()		
T23N R21E	S01	LOT 7 ()		
	S12	LOT 7 ()		
R22E	S19	LOT 4 ()	LOT 6	()
	S31	LOT 5 ()	LOT 8	()

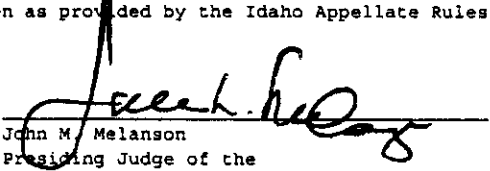
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

2004 MAY 07 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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	)	CERTIFICATE OF MAILING
	)	
Case No. 39576	)	
_____	)	Water Right(s): 75-13300

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 75-13300 was mailed
on May 07, 2004, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

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

JULIE MURPHY
Chief Deputy Clerk

CERTIFICATE OF MAILING

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05/07/04