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Department of Water Resources

2001 JUL 23 AM 10:45

CLERK OF 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

Case No. 39576

ORDER OF PARTIAL DECREE

For Water Right 51-11983

On May 2, 2001, a *Special Master's Report and Recommendation* was filed for the above water right. 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 51-11983 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED July 22, 2001.



ROGER S. BURDICK

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)
)
Case No. 39576)
_____)

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

Water Right 51-11983

2001 JUL 23 AM 10:45

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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

SOURCE: DORSEY CREEK
COUGAR CREEK
UNNAMED STREAMS
COLUMBET CREEK

TRIBUTARY: JARBIDGE RIVER
JARBIDGE RIVER
COUGAR CREEK
JARBIDGE RIVER

QUANTITY: 0.02 CFS
14.60 AFY

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

PRIORITY DATE: 06/28/1934

POINT OF DIVERSION: T15S R08E S30 NESENW Within Owyhee County
T16S R08E S16 SESESW (Rediversion)
S21 NENESW (Injection)
S26 SENESW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.02 CFS
	Stockwater Storage	01-01 TO 12-31	14.60 AFY
	Stockwater from Storage	01-01 TO 12-31	14.60 AFY
	Wildlife	01-01 TO 12-31	0.02 CFS
	Wildlife Storage	01-01 TO 12-31	14.60 AFY
	Wildlife from Storage	01-01 TO 12-31	14.60 AFY

PLACE OF USE:			
Stockwater		Within Owyhee County	
T15S R08E S30	SWNE	LOT 02 (SWNW)	
	SENEW	NESW	
	LOT 03 (NWSW)	NWSE	
Stockwater Storage		Within Owyhee County	
T15S R08E S30	SWNE	LOT 02 (SWNW)	
	SENEW	NESW	
	LOT 03 (NWSW)	NWSE	
Stockwater from Storage		Within Owyhee County	
T15S R08E S30	SWNE	LOT 02 (SWNW)	
	SENEW	NESW	
	LOT 03 (NWSW)	NWSE	
Wildlife		Within Owyhee County	
T15S R08E S30	SWNE	LOT 02 (SWNW)	
	SENEW	NESW	
	LOT 03 (NWSW)	NWSE	
Wildlife Storage		Within Owyhee County	
T15S R08E S30	SWNE	LOT 02 (SWNW)	
	SENEW	NESW	
	LOT 03 (NWSW)	NWSE	
Wildlife from Storage		Within Owyhee County	

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

PLACE OF USE (continued)

T15S R08E S30	SWNE	LOT 02 (SWNW)
	SENE	NESW
LOT 03 (NWSW)		NWSE

THE PLACE OF USE IS A MAN-MADE RESERVOIR KNOWN AS COWAN RESERVOIR.

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

2001 JUL 23 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): 51-11983

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 51-11983 was mailed
on July 23, 2001, with sufficient first-class postage prepaid
to the following:

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

STATE OF IDAHO
Represented by:
PETER J. AMPE
PO BOX 83720
BOISE, ID 83720-0010
Phone: 208-334-2400

USDI BLM
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
07/23/01