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Department of Water Resources

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

2003 MAR 4 AM 9 45

**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 51-12896A**
)

On 01-03-2003, 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 51-12896A is hereby **decreed** as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED March 4, 2003.



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

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PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b) FOR
2003 MAR 4 AM 9 45
Water Right 51-12896A

NAME AND ADDRESS: C E BRACKETT CATTLE CO
PO BOX 111
ROGERSON, ID 83302

SOURCE: PENCE SPRING TRIBUTARY: LITTLE SPRING CREEK

QUANTITY: 0.23 CFS

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

PRIORITY DATE: 09/14/1966

POINT OF DIVERSION: T15S R10E S26 SWNE Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.23 CFS

PLACE OF USE: Stockwater Within Owyhee County

T12S R08E S15	NESW	
S21	SWNE	
S27	NWNW	NWSE
S35	NWNW	
T13S R08E S04	NESE	
S09	SENE	
S10	SWSW	
S15	SESW	
S25	NESE	
S26	SWSW	
S27	NWNE	
S29	NENE	
S34	SESE	
T14S R08E S02 LOT 2	(NWNE)	
S03	SESE	
S11	SESW	
S12	SWSE	
R09E S18 LOT 2	()	
S20	NWNW	
S29	NESE	
S32	SWSE	
T15S R09E S04 LOT 3	(NENW)	
S08	SWNW	SWSW
S09	SWNE	
S14	SWSW	
S15	SESW	
S17	SWNW	SENW
S20	SWSE	
S26	SENE	SENW
	SESW	
S28	NENE	SENW
T16S R09E S01	NESW	NWSE
S02	NENW	

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.

OTHER PROVISIONS (continued)

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