

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

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Department of Water Resources

**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 51-12897A**
)

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 51-12897A 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
I.R.C.P. 54(b) FOR

Water Right 51-12897A

2003 MAR 4 AM 9 46

NAME AND ADDRESS: BRACKETT LIVESTOCK INC
C/O BERT BRACKET
PO BOX 403
TWIN FALLS, ID 83301

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
	T11S R08E S25	NWNE	
	S26	NWNE	SWSW
	S28	NESE	
	S34	SESW	
	R09E S31	NENW	
	T12S R08E S01 LOT 2	(NWNE)	
	S10	NWNE	
	S11	SENW	
	S12	NENE	
	S13	SENW	
	S26	NENE	
	S35	SESE	
	R09E S06	SENE	
	S30	SENW	
	S32	NESE	
	T13S R09E S02 LOT 4	(NWNW)	
	S08	NESW	
	S09	SENE	NWSW
		NESE	
	S17	NWNE	
	S20	SENE	
	S23	SENW	
	S28	NESW	
	S30	SESE	
	S32	NENE	
	S33	SWNE	
	S34	NWSE	
	S35	SWSW	
	T14S R09E S09	NWNW	
	S11	SENW	
	S17	NENE	
	S20	NESE	
	S22	SENE	
	S24	SESW	
	S25	SENW	
	R10E S31 LOT 3	(NWSW)	
	T15S R09E S25	SENE	

PLACE OF USE (continued)

R10E S27	NENW	
S28	SENE	SWNW
S30	SENE	
S31 LOT 2	(SWNW)	
S34	SWNW	
T16S R10E S09	SWNW	SESW
S10	NWNE	
S14	NWSW	

TWO PLACES OF USE ARE LOCATED IN T12S, R08E, S11, SENW.

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