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Department of Water Resources

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho
JUL 3 1 2003
By _____ Clerk
Deputy Clerk

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	)	**ORDER OF PARTIAL DECREE**
	)	
Case No. 39576	)	**For Water Rights on Attached Exhibit A**
	)	
	)	

On June 24, 2003, a ***Special Master's Report and Recommendation*** was filed for the above water rights. 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 rights listed on attached Exhibit A are hereby **decreed** as set forth in the attached ***Partial Decrees Pursuant to I.R.C.P. 54(b)***.

DATED July 31, 2003.

Roger Burdick

ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

EXHIBIT A

Subcase Nos:

47-16873	47-16923	47-16974	47-17024
47-16874	47-16924	47-16975	47-17025
47-16875	47-16925	47-16976	47-17026
47-16876	47-16926	47-16977	47-17027
47-16877	47-16927	47-16978	47-17028
47-16878	47-16928	47-16979	47-17029
47-16879	47-16929	47-16980	47-17030
47-16880	47-16930	47-16981	47-17031
47-16881	47-16931	47-16982	47-17032
47-16882	47-16932	47-16983	47-17033
47-16883	47-16933	47-16984	47-17034
47-16884	47-16934	47-16985	47-17035
47-16885	47-16935	47-16986	47-17036
47-16886	47-16936	47-16987	47-17037
47-16887	47-16937	47-16988	47-17038
47-16888	47-16938	47-16989	47-17039
47-16889	47-16939	47-16990	47-17040
47-16890	47-16940	47-16991	47-17041
47-16891	47-16941	47-16992	47-17042
47-16892	47-16942	47-16993	47-17043
47-16893	47-16943	47-16994	47-17044
47-16894	47-16944	47-16995	47-17045
47-16895	47-16945	47-16996	47-17046
47-16896	47-16946	47-16997	47-17047
47-16897	47-16947	47-16998	47-17048
47-16898	47-16948	47-16999	47-17049
47-16899	47-16949	47-17000	47-17050
47-16900	47-16950	47-17001	47-17051
47-16901	47-16951	47-17002	
47-16902	47-16952	47-17003	
47-16903	47-16953	47-17004	
47-16904	47-16954	47-17005	
47-16905	47-16955	47-17006	
47-16906	47-16956	47-17007	
47-16907	47-16957	47-17008	
47-16908	47-16958	47-17009	
47-16909	47-16959	47-17010	
47-16910	47-16960	47-17011	
47-16911	47-16961	47-17012	
47-16912	47-16962	47-17013	
47-16913	47-16963	47-17014	
47-16914	47-16964	47-17015	
47-16915	47-16965	47-17016	
47-16916	47-16966	47-17017	
47-16917	47-16967	47-17018	
47-16918	47-16968	47-17019	
47-16919	47-16969	47-17020	
47-16920	47-16970	47-17021	
47-16921	47-16971	47-17022	
47-16922	47-16972	47-17023	

(Subcase list: 47AMENDED)
7/31/03

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho
JUL 3 1 2003
By
Clerk
Deputy Clerk

In Re SRBA	)	PARTIAL DECREE PURSUANT TO
	)	I.R.C.P. 54(b) FOR
Case No. 39576	)	
	)	Water Right 47-17014

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

SOURCE: COYOTE SPRING TRIBUTARY: MCMULLEN CREEK

QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
THIS RIGHT SHALL BE USED IN CONJUNCTION WITH RIGHT NO. 47-17015 AND IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .02 CFS AND A TOTAL COMBINED QUANTITY OF 13,000 GALLONS PER DAY.

PRIORITY DATE: 06/12/1905

POINT OF DIVERSION: T13S R18E S17 NWSWNE Within Twin Falls County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Stockwater	05-01 TO 10-31	0.02 CFS

PLACE OF USE: Stockwater Within Twin Falls County
T13S R18E S17 NWNE SWNE

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.
THE OPERATION, USE, AND ADMINISTRATION OF THIS WATER RIGHT IS ALSO SUBJECT TO THE TERMS AND CONDITIONS OF THE STIPULATION AND JOINT MOTION FOR ORDER APPROVING STIPULATION ENTERED INTO ON AUGUST 29, 2002 BETWEEN THE UNITED STATES OF AMERICA AND WESTERN STOCKGROWERS ASSOCIATION ET AL., FILED IN THE OFFICE OF THE TWIN FALLS COUNTY RECORDER AND RECORDED ON APRIL 21, 2003 AS INSTRUMENT NO: 2003-010014; THE PROVISIONS OF SUCH STIPULATION TO APPLY FULLY TO THIS WATER RIGHT.
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