

RECEIVED

AUG - 7 2003

Department of Water Resources

|                                                                                         |                    |
|-----------------------------------------------------------------------------------------|--------------------|
| DISTRICT COURT-SRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho |                    |
| JUL 31 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**

**Case No. 39576**

)  
) **ORDER OF PARTIAL DECREE**  
)  
) **For Water Right 77-10187**  
)

On June 10, 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 77-10187 is hereby **decreed** as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED July 31, 2003.

  
\_\_\_\_\_  
ROGER S. BURDICK  
Presiding Judge  
Snake River Basin Adjudication

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 )  
Case No. 39576 )  
PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 77-10187

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

SOURCE: WYOMING CREEK TRIBUTARY: BEAR VALLEY CREEK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 05/01/1910

POINT OF DIVERSION: T12N R09E S23 NWSE (Instream Beginning Point) Within Valley County  
T13N R09E S25 SWSE (Instream Ending Point)

PURPOSE AND  
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY  
Stockwater 06-01 TO 10-31 0.02 CFS

PLACE OF USE: Stockwater Within Valley County  
T12N R09E S02 LOT 1 (NENE) LOT 2 (NWNE)  
SWNE SENW  
NESW SESW  
S11 NENW SENW  
NESW NWSE  
SWSE  
S13 SWSW  
S14 NENE NWNE  
SENE NESE  
SESE  
S23 SENE NESE  
NWSE  
S24 NWNW SWNW  
T13N R09E S25 SWSE  
S35 NESE SESE  
S36 NWNE SWNW  
SENE NWSW

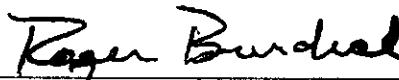
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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