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Department of Water Resources

DISTRICT COURT-SRBA
Fifth Judicial District
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	)	**ORDER OF PARTIAL DECREE**
	)	
Case No. 39576	)	**For Water Rights Listed in Exhibit A**
	)	
	)	

On June 11, 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 the 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:

37-18302	37-18629	37-18909	37-19597
37-18303	37-18630	37-18911	37-19600
37-18334	37-18631	37-18912	37-19616
37-18355	37-18656	37-18946	37-19629
37-18357	37-18658	37-18962	37-19639
37-18358	37-18698	37-18967	37-19640
37-18359	37-18702	37-18968	37-19644
37-18360	37-18711	37-18969	37-19645
37-18460	37-18712	37-18974	37-19646
37-18461	37-18713	37-19090	37-19649
37-18462	37-18716	37-19107	37-19650
37-18463	37-18718	37-19164	37-19651
37-18464	37-18719	37-19167	37-19652
37-18480	37-18721	37-19185	37-19670
37-18485	37-18734	37-19205	37-20252
37-18486	37-18743	37-19208	37-20261
37-18487	37-18744	37-19209	
37-18488	37-18745	37-19210	
37-18489	37-18746	37-19215	
37-18490	37-18747	37-19325	
37-18491	37-18763	37-19401	
37-18492	37-18765	37-19416	
37-18512	37-18766	37-19417	
37-18513	37-18786	37-19445	
37-18516	37-18787	37-19452	
37-18518	37-18789	37-19458	
37-18522	37-18790	37-19460	
37-18525	37-18806	37-19461	
37-18529	37-18814	37-19488	
37-18532	37-18818	37-19489	
37-18533	37-18822	37-19490	
37-18534	37-18835	37-19497	
37-18535	37-18840	37-19498	
37-18536	37-18847	37-19499	
37-18543	37-18850	37-19515	
37-18545	37-18859	37-19518	
37-18547	37-18860	37-19519	
37-18551	37-18868	37-19520	
37-18552	37-18873	37-19524	
37-18553	37-18875	37-19525	
37-18563	37-18882	37-19531	
37-18565	37-18883	37-19532	
37-18579	37-18884	37-19533	
37-18580	37-18885	37-19534	
37-18588	37-18886	37-19535	
37-18594	37-18888	37-19536	
37-18595	37-18889	37-19538	
37-18609	37-18890	37-19539	
37-18613	37-18900	37-19540	
37-18614	37-18901	37-19547	

(Subcase list: B37F194STP)
8/01/03

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
TWIN FALLS CO., IDAHO
FILED
2003 JUL 31 AM 10 03

In Re SRBA	)	PARTIAL DECREE PURSUANT TO
	)	I.R.C.P. 54(b) FOR
Case No. 39576	)	
	)	Water Right 37-19210

NAME AND ADDRESS: USDI BLM
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE, ID 83709-1657

SOURCE: BLACK CANYON CREEK TRIBUTARY: DRY CREEK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 06/28/1934

POINT OF DIVERSION: T04S R14E S35 SESWNE (Instream Beginning Point) Within Gooding County
SESWNE (Instream Ending Point)

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Stockwater	01-01 TO 12-31	0.02 CFS

PLACE OF USE: Stockwater Within Gooding County
T04S R14E S35 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 THE WESTERN STOCKGROWERS ASSOCIATION, ET AL,; THE PROVISION 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