

AUG - 5 2003

DISTRICT COURT-SRBA  
Fifth Judicial District  
County of Twin Falls - State of Idaho

JUL 31 2003

By \_\_\_\_\_  
\_\_\_\_\_  
Clerk  
Deputy Clerk

## Page 1

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 65-13071

DISTRICT COURT-SRBA  
Fifth Judicial District  
County of Twin Falls - State of Idaho

JUL 31 2003

By \_\_\_\_\_ Clerk  
Deputy Clerk

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTIN  
USDA FOREST SERVICE  
550 W FORT ST MSC 033  
BOISE, ID 83724

SOURCE: SPRING TRIBUTARY: NORTH FORK LITTLE SQUAW CREEK

QUANTITY: 0.02 CFS  
0.50 AFY

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

PRIORITY DATE: 05/23/1989

POINT OF DIVERSION: T10N R02E S22 SWNESE Within Valley County

| PURPOSE AND<br>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  
T10N R02E S22 NESE

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.

BASIN 65 GENERAL PROVISIONS NO 3, THE SEPARATE STREAMS GENERAL  
PROVISION, DOES NOT APPLY TO APPROPRIATIONS OF WATER AFTER  
OCTOBER 18, 1977.

THIS WATER RIGHT SHALL BE ADMINISTERED AS BEING FROM A  
SEPARATE SOURCE PURSUANT TO BASIN 65 GENERAL PROVISIONS NO 3. IF  
THE HOLDER OF THIS RIGHT SEEKS TO CHANGE THE RIGHT PURSUANT TO  
IDAHO CODE SEC 42-222 OR SUCCESSOR STATUTE, NOTHING IN THIS  
GENERAL PROVISION SHALL PRECLUDE ANY OTHER PERSON OR ENTITY FROM  
DEMONSTRATING THAT SUCH CHANGE IN USE WOULD CAUSE INJURY TO ITS  
WATER RIGHT OR FROM RECEIVING ANY RELIEF PROVIDED BY LAW IN THE  
EVENT OF INJURY.

FOREST SERVICE RECORD NO. 4217050122650065.

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.

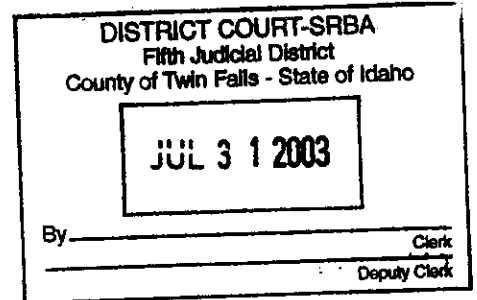


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Roger Burdick  
Presiding Judge of the  
Snake River Basin Adjudication

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 )  
 ) PARTIAL DECREE PURSUANT TO  
 ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
 )  
 ) Water Right 65-22157



NAME AND ADDRESS: UNITED STATES OF AMERICA ACTIN  
USDA FOREST SERVICE  
550 W FORT ST MSC 033  
BOISE, ID 83724

SOURCE: CAMPBELL CREEK TRIBUTARY: NORTH FORK PAYETTE RIVER

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 06/01/1899

POINT OF DIVERSION: T14N R03E S33 NENESE (Instream Ending Point) Within Valley County  
SENESE (Instream Beginning Point)

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

INSTREAM STOCKWATER

PLACE OF USE: Stockwater Within Valley County  
T14N R03E S33 NESE

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

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DETERMINATION OF HISTORICAL BENEFICIAL USE.

BASIN 65 GENERAL PROVISIONS NO 3, THE SEPARATE STREAMS GENERAL  
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DEMONSTRATING THAT SUCH CHANGE IN USE WOULD CAUSE INJURY TO ITS  
WATER RIGHT OR FROM RECEIVING ANY RELIEF PROVIDED BY LAW IN THE  
EVENT OF INJURY.

FOREST SERVICE RECORD ID. 4 2 17050123 61 9597

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS  
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT  
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Roger Burdick  
Presiding Judge of the  
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