

DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_

2003 JUL 16 AM 11 28

**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**  
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**ORDER OF PARTIAL DECREE**

**For Water Rights listed on Exhibit A**

On May 16, 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 in Exhibit A are hereby decreed as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED July 16, 2003.



ROGER S. BURDICK

Presiding Judge

Snake River Basin Adjudication

EXHIBIT A

Subcase Nos:

|          |          |          |
|----------|----------|----------|
| 37-02809 | 37-02980 | 37-08024 |
| 37-02811 | 37-02981 | 37-08052 |
| 37-02813 | 37-02994 | 37-08188 |
| 37-02817 | 37-03002 | 37-08191 |
| 37-02821 | 37-03003 | 37-08242 |
| 37-02830 | 37-03004 | 37-08243 |
| 37-02836 | 37-03005 | 37-08319 |
| 37-02837 | 37-03006 |          |
| 37-02848 | 37-03007 |          |
| 37-02851 | 37-03008 |          |
| 37-02852 | 37-03009 |          |
| 37-02856 | 37-03023 |          |
| 37-02867 | 37-03024 |          |
| 37-02872 | 37-03027 |          |
| 37-02884 | 37-03037 |          |
| 37-02885 | 37-03038 |          |
| 37-02886 | 37-03044 |          |
| 37-02887 | 37-03055 |          |
| 37-02896 | 37-03058 |          |
| 37-02914 | 37-03059 |          |
| 37-02915 | 37-03065 |          |
| 37-02917 | 37-03084 |          |
| 37-02918 | 37-03085 |          |
| 37-02919 | 37-03086 |          |
| 37-02920 | 37-03111 |          |
| 37-02921 | 37-03113 |          |
| 37-02922 | 37-03118 |          |
| 37-02923 | 37-03119 |          |
| 37-02924 | 37-03122 |          |
| 37-02928 | 37-03123 |          |
| 37-02929 | 37-03124 |          |
| 37-02930 | 37-03125 |          |
| 37-02934 | 37-03127 |          |
| 37-02936 | 37-03128 |          |
| 37-02937 | 37-03129 |          |
| 37-02942 | 37-03133 |          |
| 37-02945 | 37-03134 |          |
| 37-02949 | 37-03147 |          |
| 37-02950 | 37-03159 |          |
| 37-02951 | 37-07128 |          |
| 37-02954 | 37-07129 |          |
| 37-02955 | 37-07131 |          |
| 37-02956 | 37-07132 |          |
| 37-02959 | 37-07317 |          |
| 37-02966 | 37-08017 |          |
| 37-02968 | 37-08018 |          |
| 37-02975 | 37-08019 |          |
| 37-02976 | 37-08020 |          |
| 37-02977 | 37-08022 |          |
| 37-02979 | 37-08023 |          |

(Subcase list: STPFILE201)

7/15/03

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

In Re SRBA )  
 )  
Case No. 39576 )  
 )

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 37-02821

FILED

2003 JUL 16 AM 11 28

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

SOURCE: UNNAMED STREAM TRIBUTARY: SINKS

QUANTITY: 4.60 AFY

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

PRIORITY DATE: 01/24/1942

POINT OF DIVERSION: T03S R17E S35 NWSW Within Lincoln County

PURPOSE AND  
PERIOD OF USE:

| PURPOSE OF USE          | PERIOD OF USE  | QUANTITY |
|-------------------------|----------------|----------|
| Wildlife from Storage   | 01-01 TO 12-31 | 4.60 AFY |
| Stockwater from Storage | 01-01 TO 12-31 | 4.60 AFY |
| Stockwater Storage      | 01-01 TO 12-31 | 4.60 AFY |
| Wildlife Storage        | 01-01 TO 12-31 | 4.60 AFY |

|               |                         |                       |
|---------------|-------------------------|-----------------------|
| PLACE OF USE: | Stockwater Storage      | Within Lincoln County |
|               | T03S R17E S35 NWSW      |                       |
|               | Stockwater from Storage | Within Lincoln County |
|               | T03S R17E S35 NWSW      |                       |
|               | Wildlife Storage        | Within Lincoln County |
|               | T03S R17E S35 NWSW      |                       |
|               | Wildlife from Storage   | Within Lincoln County |
|               | T03S R17E S35 NWSW      |                       |

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

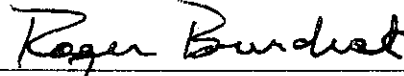
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A  
DETERMINATION OF HISTORICAL BENEFICIAL USE.

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.; 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.

A handwritten signature in cursive script, reading "Roger Burdick", is written over a horizontal line.

Roger Burdick  
Presiding Judge of the  
Snake River Basin Adjudication