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JUL 10 2003  
Department of Water Resources

DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_  
2003 JUL 10 AM 11 13

**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 Rights: See Attached Exhibit A**

On May 29, 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 the attached Exhibit A are hereby decreed as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED July 10, 2003.

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

EXHIBIT A

Subcase Nos:

37-14417  
37-14418  
37-14419  
37-14422  
37-14423  
37-14425  
37-14426  
37-14428  
37-14436  
37-14443  
37-14445  
37-14447  
37-14449  
37-14455  
37-14457  
37-14458  
37-17222  
37-17223  
37-17225  
37-17226  
37-17326  
37-17330  
37-17331

DISTRICT COURT - SRBA  
JUDICIAL DISTRICT OF THE  
COUNTY OF TWIN FALLS  
FILED \_\_\_\_\_

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR 2003  
Water Right 37-14458

2003 JUL 10 AM 11 13

|           |             |                       |
|-----------|-------------|-----------------------|
| SOURCE:   | SPARE CREEK | TRIBUTARY: CAMP CREEK |
| QUANTITY: | 0.02 CFS    |                       |

THIS RIGHT SHALL BE USED IN CONJUNCTION WITH RIGHT NO. 37-20458 AND IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .02 CFS AND A TOTAL QUANTITY OF 13,000 GALLONS PER DAY.

PRIORITY DATE: 06/28/1934

POINT OF DIVERSION: T01N R16E S22 NWSESW (Instream Beginning Point) Within Blaine County  
SWSESW (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 Blaine County  
T01N R16E S22 SESW

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 FLYING TRIANGLE INC., FILED IN THE OFFICE OF THE BLAINE COUNTY RECORDER AND RECORDED ON NOVEMBER 19, 2002 AS INSTRUMENT NO: 473994; 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

Roger Búrdick  
Presiding Judge of the  
Snake River Basin Adjudication