

RECEIVED DISTRICT COURT - SRBA
JUL 10 2003
TWIN FALLS CO., IDAHO
FILED
Department of Water Resources
2003 JUL 9 PM 1 49

**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 Right 37-08187**
_____)

On May 8, 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 37-08187 is hereby decreed as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED July 9, 2003



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

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STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS, IDAHO

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
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PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 37-08187

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

SOURCE: GROUNDWATER

QUANTITY: 0.02 CFS
10.80 AFY

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

PRIORITY DATE: 09/26/1984

POINT OF DIVERSION: T05S R13E S15 NWSWSE Within Gooding County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	04-01 TO 12-31	0.02 CFS
			10.80 AFY

PLACE OF USE: Stockwater Within Gooding County
T05S R13E S15 NWSE
S22 NWNW

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., ET AL.,
FILED IN THE OFFICE OF THE GOODING COUNTY RECORDER AND RECORDED
ON NOVEMBER 19, 2002 AS INSTRUMENT NO: 197851; 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
Presiding Judge of the
Snake River Basin Adjudication