

2003 JUN 12 PM 12 00

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 ON
) UNCONTESTED FEDERAL WATER RIGHT
) CLAIM FOR ADMINISTRATIVE SITES
)
) FOR WATER RIGHTS: 75-11095, 75-11193,
) 75-11198, 75-11194, 75-11199, 75-11200, 75-13801
)

The above-captioned water rights were claimed as implied federal reserved water rights for Forest Service administrative sites within the boundaries of a national forest. The claims were included in the *Director's Report for Domestic Claims Based on Federal Law* filed on December 7, 1998. The claimant, the United States of America, acting through the United States Department of Agriculture, Forest Service ("United States"), pursuant to leave of court, amended the original claims to change, among other things, the purpose of use element from "domestic" to "administrative." The amended claims were filed August 20, 2002. No objections were filed to the original claims or to the claims as amended.

As required by I.C. § 42-1411A(14), a hearing was held on May 20, 2003, for the purpose of allowing the United States to demonstrate a *prima facie* case regarding the existence of the above-captioned water rights established under federal law. At the close of the hearing the Court ruled that the United States had met the burden of establishing the existence and elements of implied federal reserved water rights for each of the above-captioned water right claims.

THEREFORE, IT IS ORDERED that water rights 75-11095, 75-11193, 75-11198, 75-11194, 75-11199, 75-11200, and 75-13801 are hereby decreed as set forth in the attached *Partial Decree[s] Pursuant to I.R.C.P. 54(b)*.

Dated this 12th day of June, 2003.


HONORABLE ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
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In Re SRBA)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 75-11193

2003 JUN 12 PM 12 00

NAME AND ADDRESS: USDA FOREST SERVICE
550 W FORT ST, MSC 033
BOISE, ID 83724

SOURCE: SPRING

TRIBUTARY: SINKS

QUANTITY: 0.01 CFS

PRIORITY DATE: 02/22/1997

POINT OF DIVERSION: T23N R16E S15 NWNW Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Administrative	06-01 TO 10-31	0.01 CFS

PLACE OF USE: Administrative Within Lemhi County
T23N R16E S15 NWNE

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

THIS WATER RIGHT IS A FEDERAL RESERVED 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

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DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 75-11198

NAME AND ADDRESS: USDA FOREST SERVICE
550 W FORT ST, MSC 033
BOISE, ID 83724

SOURCE: SPRING TRIBUTARY: COLSON CREEK

QUANTITY: 0.02 CFS

PRIORITY DATE: 02/22/1897

POINT OF DIVERSION: T23N R16E S24 NWSE Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Administrative	05-01 TO 10-31	0.02 CFS

PLACE OF USE: Administrative Within Lemhi County
T23N R16E S24 NWSE

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

THIS WATER RIGHT IS A FEDERAL RESERVED WATER RIGHT.
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
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)
Case No. 39576)
)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 75-11199

2003 JUN 12 PM 12 01

NAME AND ADDRESS: USDA FOREST SERVICE
550 W FORT ST, MSC 033
BOISE, ID 83724

SOURCE: MOYER CREEK TRIBUTARY: PANTHER CREEK

QUANTITY: 0.06 CFS

PRIORITY DATE: 11/05/1906

POINT OF DIVERSION: T20N R18E S35 SWNE Within Lemhi County

PURPOSE AND			
PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Administrative	03-01 TO 09-30	0.06 CFS

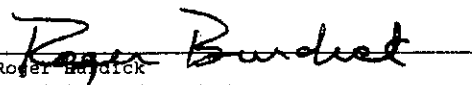
PLACE OF USE: Administrative Within Lemhi County
T20N R18E S35 SENW

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

THIS WATER RIGHT IS A FEDERAL RESERVED WATER RIGHT.
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) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 75-13801

NAME AND ADDRESS: USDA FOREST SERVICE
550 W FORT ST, MSC 033
BOISE, ID 83724

SOURCE: HUGHES CREEK RANGER STA SPRING TRIBUTARY: SALMON RIVER, NORTH FORK

QUANTITY: 0.01 CFS

PRIORITY DATE: 11/05/1906

POINT OF DIVERSION: T25N R21E S22 NESW Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Administrative	01-01 TO 12-31	0.01 CFS

PLACE OF USE: Administrative Within Lemhi County
T25N R21E S22 NENW

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

THIS WATER RIGHT IS A FEDERAL RESERVED WATER RIGHT.
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