

2003 JUN 11 AM 10 44

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 ON           |
|                | ) | UNCONTESTED FEDERAL WATER RIGHT      |
| Case No. 39576 | ) | CLAIM FOR ADMINISTRATIVE SITES       |
|                | ) |                                      |
|                | ) | FOR WATER RIGHTS: 65-09920, 65-11336 |
|                | ) |                                      |
|                | ) |                                      |

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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 April 13, 2000. 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 65-09920, 65-11336 are hereby decreed as set forth in the attached *Partial Decree[s]* Pursuant to I.R.C.P. 54(b).

Dated this 11<sup>th</sup> day of June, 2003.

  
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HONORABLE ROGER S. BURDICK  
Presiding Judge  
Snake River Basin Adjudication

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TWIN FALLS CO., IDAHO  
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