DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

2003 APR 2 AM 10 19

**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 Rights listed on attached Exhibit A** |

On February 3, 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 rights listed on attached Exhibit A are hereby **decreed** as set forth in the attached ***Partial Decree Pursuant to I.R.C.P. 54(b)***.

DATED April 2, 2003.

Roger Burdick

ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

EXHIBIT A

Subcase Nos:

| | | | | | |
|---|---|---|---|---|---|
| 79-04133 | 79-04211 | 79-04322 | 79-10448 | 79-10523 | 79-10660 |
| 79-04134 | 79-04212 | 79-04324 | 79-10449 | 79-10524 | 79-10661 |
| 79-04138 | 79-04213 | 79-04325 | 79-10450 | 79-10528 | 79-10662 |
| 79-04139 | 79-04215 | 79-04327 | 79-10451 | 79-10529 | 79-10663 |
| 79-04141 | 79-04216 | 79-04328 | 79-10452 | 79-10530 | 79-10664 |
| 79-04143 | 79-04217 | 79-04329 | 79-10454 | 79-10531 | 79-10665 |
| 79-04144 | 79-04219 | 79-04330 | 79-10455 | 79-10537 | 79-10666 |
| 79-04147 | 79-04229 | 79-04332 | 79-10456 | 79-10538 | 79-10668 |
| 79-04149 | 79-04230 | 79-04333 | 79-10457 | 79-10539 | 79-10669 |
| 79-04155 | 79-04231 | 79-04334 | 79-10458 | 79-10540 | 79-10670 |
| 79-04156 | 79-04232 | 79-04335 | 79-10459 | 79-10542 | 79-10671 |
| 79-04157 | 79-04234 | 79-04336 | 79-10483 | 79-10543 | 79-10672 |
| 79-04159 | 79-04235 | 79-04337 | 79-10484 | 79-10544 | 79-10673 |
| 79-04160 | 79-04236 | 79-04338 | 79-10485 | 79-10545 | 79-10674 |
| 79-04162 | 79-04237 | 79-04339 | 79-10486 | 79-10546 | 79-10678 |
| 79-04163 | 79-04238 | 79-04340 | 79-10487 | 79-10547 | 79-10679 |
| 79-04164 | 79-04239 | 79-04341 | 79-10488 | 79-10548 | 79-10680 |
| 79-04165 | 79-04240 | 79-04342 | 79-10489 | 79-10549 | 79-10683 |
| 79-04166 | 79-04243 | 79-04343 | 79-10490 | 79-10550 | 79-10684 |
| 79-04168 | 79-04244 | 79-04344 | 79-10491 | 79-10551 | 79-10692 |
| 79-04169 | 79-04272 | 79-04345 | 79-10492 | 79-10552 | 79-10695 |
| 79-04170 | 79-04274 | 79-04346 | 79-10493 | 79-10553 | 79-10700 |
| 79-04172 | 79-04275 | 79-04347 | 79-10494 | 79-10554 | 79-10701 |
| 79-04174 | 79-04276 | 79-04348 | 79-10495 | 79-10555 | 79-10702 |
| 79-04175 | 79-04277 | 79-04350 | 79-10497 | 79-10556 | 79-10703 |
| 79-04178 | 79-04278 | 79-04351 | 79-10498 | 79-10557 | 79-10704 |
| 79-04179 | 79-04279 | 79-04352 | 79-10499 | 79-10558 | 79-10705 |
| 79-04180 | 79-04280 | 79-04353 | 79-10500 | 79-10559 | 79-10706 |
| 79-04181 | 79-04281 | 79-04354 | 79-10501 | 79-10563 | 79-10707 |
| 79-04182 | 79-04282 | 79-04355 | 79-10502 | 79-10568 | 79-10708 |
| 79-04183 | 79-04291 | 79-04356 | 79-10503 | 79-10569 | 79-10714 |
| 79-04185 | 79-04292 | 79-04357 | 79-10504 | 79-10571 | 79-10715 |
| 79-04186 | 79-04294 | 79-04358 | 79-10505 | 79-10572 | 79-10716 |
| 79-04187 | 79-04296 | 79-04359 | 79-10506 | 79-10573 | 79-10719 |
| 79-04190 | 79-04297 | 79-04360 | 79-10507 | 79-10575 | 79-10720 |
| 79-04191 | 79-04298 | 79-04361 | 79-10508 | 79-10577 | 79-10722 |
| 79-04192 | 79-04299 | 79-04362 | 79-10509 | 79-10609 | 79-13634 |
| 79-04193 | 79-04301 | 79-04363 | 79-10510 | 79-10611 | 79-13635 |
| 79-04194 | 79-04302 | 79-04365 | 79-10511 | 79-10612 | 79-13636 |
| 79-04195 | 79-04303 | 79-04366 | 79-10512 | 79-10613 | 79-13637 |
| 79-04196 | 79-04305 | 79-10438 | 79-10513 | 79-10624 | 79-13639 |
| 79-04198 | 79-04306 | 79-10439 | 79-10514 | 79-10625 | 79-13640 |
| 79-04201 | 79-04309 | 79-10440 | 79-10515 | 79-10627 | 79-13641 |
| 79-04202 | 79-04310 | 79-10441 | 79-10516 | 79-10629 | 79-13644 |
| 79-04203 | 79-04313 | 79-10442 | 79-10517 | 79-10651 | 79-13645 |
| 79-04204 | 79-04315 | 79-10443 | 79-10518 | 79-10653 | 79-13646 |
| 79-04205 | 79-04316 | 79-10444 | 79-10519 | 79-10654 | 79-13647 |
| 79-04206 | 79-04318 | 79-10445 | 79-10520 | 79-10655 | 79-13648 |
| 79-04207 | 79-04319 | 79-10446 | 79-10521 | 79-10658 | 79-13649 |
| 79-04208 | 79-04321 | 79-10447 | 79-10522 | 79-10659 | 79-13651 |

(Subcase list: TCB79UNCON)
4/02/03

DISTRICT COURT - SRBA
TWIN FALLS CO. IDAHO
FILED
2003 APR 2 AM 10 25

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 | PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b) FOR |
| Case No. 39576 | Water Right 79-04354 |

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

SOURCE: SPRING TRIBUTARY: SINKS

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 05/01/1880

POINT OF DIVERSION: T27N R01E S33 NESW Within Idaho County

PURPOSE AND PERIOD OF USE:

| PURPOSE OF USE | PERIOD OF USE | QUANTITY |
|---|---|---|
| Stockwater | 05-01 TO 11-30 | 0.02 CFS |

PLACE OF USE: Stockwater Within Idaho County
T27N R01E S33 NESW

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.

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