

DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_

2003 APR 3 PM 11 46

**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

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)  
**ORDER OF PARTIAL DECREE**

**For Water Rights: See attached Exhibit A**

On February 13, 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 Exhibit A are hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED April 3, 2003.



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ROGER S. BURDICK  
Presiding Judge  
Snake River Basin Adjudication

# EXHIBIT A

## Subcase Nos:

|          |          |          |          |
|----------|----------|----------|----------|
| 37-02818 | 37-03033 | 37-07145 | 37-08240 |
| 37-02831 | 37-03034 | 37-07186 | 37-08244 |
| 37-02832 | 37-03035 | 37-07187 | 37-08245 |
| 37-02845 | 37-03036 | 37-07188 | 37-08247 |
| 37-02868 | 37-03040 | 37-07703 | 37-08300 |
| 37-02871 | 37-03041 | 37-07704 | 37-08312 |
| 37-02874 | 37-03042 | 37-07705 | 37-08313 |
| 37-02888 | 37-03046 | 37-07706 | 37-08314 |
| 37-02892 | 37-03047 | 37-07886 | 37-08315 |
| 37-02893 | 37-03048 | 37-07887 | 37-08316 |
| 37-02894 | 37-03049 | 37-07888 | 37-08317 |
| 37-02900 | 37-03050 | 37-07960 | 37-08318 |
| 37-02901 | 37-03052 | 37-07962 | 37-08320 |
| 37-02903 | 37-03060 | 37-07964 | 37-08321 |
| 37-02907 | 37-03061 | 37-07965 | 37-17397 |
| 37-02909 | 37-03062 | 37-07967 |          |
| 37-02910 | 37-03066 | 37-07973 |          |
| 37-02911 | 37-03072 | 37-07976 |          |
| 37-02912 | 37-03073 | 37-07977 |          |
| 37-02940 | 37-03074 | 37-07978 |          |
| 37-02943 | 37-03077 | 37-07979 |          |
| 37-02944 | 37-03078 | 37-07980 |          |
| 37-02946 | 37-03079 | 37-07981 |          |
| 37-02947 | 37-03080 | 37-07983 |          |
| 37-02957 | 37-03083 | 37-08016 |          |
| 37-02958 | 37-03087 | 37-08025 |          |
| 37-02960 | 37-03092 | 37-08040 |          |
| 37-02961 | 37-03098 | 37-08041 |          |
| 37-02964 | 37-03099 | 37-08043 |          |
| 37-02967 | 37-03102 | 37-08044 |          |
| 37-02969 | 37-03103 | 37-08045 |          |
| 37-02970 | 37-03104 | 37-08047 |          |
| 37-02971 | 37-03105 | 37-08048 |          |
| 37-02973 | 37-03106 | 37-08050 |          |
| 37-02982 | 37-03108 | 37-08051 |          |
| 37-02984 | 37-03110 | 37-08053 |          |
| 37-02986 | 37-03112 | 37-08155 |          |
| 37-02988 | 37-03114 | 37-08156 |          |
| 37-02989 | 37-03120 | 37-08161 |          |
| 37-02995 | 37-03135 | 37-08167 |          |
| 37-02996 | 37-03136 | 37-08185 |          |
| 37-02997 | 37-03138 | 37-08186 |          |
| 37-02999 | 37-03149 | 37-08190 |          |
| 37-03001 | 37-03150 | 37-08229 |          |
| 37-03012 | 37-03153 | 37-08232 |          |
| 37-03014 | 37-03154 | 37-08233 |          |
| 37-03016 | 37-07133 | 37-08234 |          |
| 37-03021 | 37-07134 | 37-08236 |          |
| 37-03029 | 37-07135 | 37-08237 |          |
| 37-03030 | 37-07144 | 37-08239 |          |

(Subcase list: B37F#201 )

4/03/03

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

2003 APR 3 AM 11 51

In Re SRBA )  
 ) PARTIAL DECREE PURSUANT TO  
 ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
 )  
 ) Water Right 37-03110

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

SOURCE: UNNAMED STREAM TRIBUTARY: THORN CREEK

QUANTITY: 1.00 AFY

PRIORITY DATE: 10/08/1968

POINT OF DIVERSION: T03S R11E S15 NWSWNE Within Elmore County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE          | PERIOD OF USE  | QUANTITY |
|-------------------------------|-------------------------|----------------|----------|
|                               | Stockwater Storage      | 01-01 TO 12-31 | 1.00 AFY |
|                               | Wildlife from Storage   | 01-01 TO 12-31 | 1.00 AFY |
|                               | Stockwater from Storage | 01-01 TO 12-31 | 1.00 AFY |
|                               | Wildlife Storage        | 01-01 TO 12-31 | 1.00 AFY |

|               |                         |                      |
|---------------|-------------------------|----------------------|
| PLACE OF USE: | Stockwater Storage      | Within Elmore County |
|               | T03S R11E S15 SWNE      |                      |
|               | Stockwater from Storage | Within Elmore County |
|               | T03S R11E S15 SWNE      |                      |
|               | Wildlife Storage        | Within Elmore County |
|               | T03S R11E S15 SWNE      |                      |
|               | Wildlife from Storage   | Within Elmore County |
|               | T03S R11E S15 SWNE      |                      |

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF 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 Burdick  
Presiding Judge of the  
Snake River Basin Adjudication