

Department of Water Resources:

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

2003 JAN 6 AM 11 29

**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

**For Water Rights 37-3088, 37-3093, 37-3094,
37-3096, 37-3097, 37-3101, 37-3115, 37-3116,
37-7966, 37-7970, 37-7972, 37-7974, 37-7975**

On October 28, 2002, a *Special Master's Report and Recommendation* was filed for the above water rights. 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 37-3088, 37-3093, 37-3094, 37-3096, 37-3097, 37-3101, 37-3115, 37-3116, 37-7966, 37-7970, 37-7972, 37-7974, 37-7975 are hereby decreed as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED January 6, 2003

Roger Burdick

ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

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

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO

FILED

2003 JAN 6 AM 11 29

In Re SRBA)
Case No. 39576)

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

Water Right 37-03088

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

SOURCE: UNNAMED STREAM TRIBUTARY: SINKS

QUANTITY: 0.28 AFY

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

PRIORITY DATE: 12/13/1967

POINT OF DIVERSION: T02S R23E S33 NWNWNE Within Blaine County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater from Storage	01-01 TO 12-31	0.28 AFY
	Stockwater Storage	01-01 TO 12-31	0.28 AFY

PLACE OF USE:	Stockwater Storage	Within Blaine County
	T02S R23E S33 NWNE	
	Stockwater from Storage	Within Blaine County
	T02S R23E S33 NWNE	

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

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER ISSUING PARTIAL DECREE 37-3088 ET AL was mailed on January 06, 2003, with sufficient first-class postage to the following:

USDI BLM

Represented by:

US DEPARTMENT OF JUSTICE

ENVIRONMENT & NATL' RESOURCES

550 WEST FORT STREET, MSC 033

BOISE, ID 83724

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098