

2003 APR 2 AM 9 17

**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

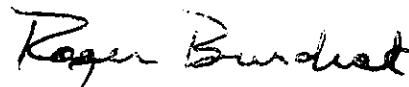
**For Water Rights 37-13430, 37-13449, 37-13486,
37-13492, 37-13494, 37-13513, 37-13569,
37-13644, 37-19966 and 37-20006**

On February 6, 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 37-13430, 37-13449, 37-13486, 37-13492, 37-13494, 37-13513, 37-13569, 37-13644, 37-19966 and 37-20006 are hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED April 2, 2003.



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

DISTRICT COURT-SRBA

TWIN FALLS CO., IDAHO

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS2003 APR 2 AM 9 18
FILED

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
 Case No. 39576)
)
) Water Right 37-19966

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

SOURCE: ROOKS CREEK TRIBUTARY: WARM SPRINGS CREEK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 06/01/1987

POINT OF DIVERSION: T04N R16E S26 NWSE (Instream Ending Point) Within Blaine County
 T05N R16E S35 NWSE (Instream Beginning Point)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	06-01 TO 09-30	0.02 CFS

PLACE OF USE:	Stockwater		Within Blaine County
	T04N R16E S01	NWNW	SWNW
		SENW	NESW
		NWSW	SWSW
		SESW	
	S02	NENE	
	S12	NENW	SENW
		NESW	SESW
	S13	NENW	SENW
		NESW	SESW
	S23	NESE	SESE
	S24	NENW	NWNW
		SWNW	NESW
		NWSW	SWSW
		SESW	
	S26	NENE	SWNE
		SENE	NWSE
	T05N R16E S35	NESE	NWSE
		SESE	

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