

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

2003 JAN 16 AM 8 48

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JAN 17 2003

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

Department of Water Resources

In Re SRBA

Case No. 39576

ORDER OF PARTIAL DECREE

**For Water Rights Nos. Exhibit A
(Basin 37: 110 SF5's Re: Priority)**

On 11-27-2002, 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 in Exhibit A are hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED January 16, 2003.



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

EXHIBIT A

(Basin 37: 110 SF5's re: Priority)

Subcase Nos.

37-14819	37-16254	37-17053
37-14832	37-16255	37-17054
37-14842	37-16256	37-17061
37-14852	37-16257	37-17062
37-14931	37-16258	37-17063
37-14945	37-16265	37-17065
37-14946	37-16266	37-17067
37-14947	37-16267	37-17068
37-14949	37-16269	37-17069
37-14950	37-16273	37-17070
37-14951	37-16274	37-17082
37-14952	37-16275	37-17103
37-14954	37-16291	37-17169
37-14955	37-16296	37-17170
37-14959	37-16305	37-17212
37-14961	37-16308	37-17215
37-14965	37-16317	37-17309
37-14966	37-16325	37-17310
37-14984	37-16326	37-17311
37-14987	37-16327	37-17312
37-15107	37-16328	
37-15173	37-16330	
37-15250	37-16331	
37-15252	37-16332	
37-15253	37-16333	
37-15254	37-16335	
37-15258	37-16367	
37-15275	37-16375	
37-15285	37-16423	
37-15286	37-16433	
37-15289	37-16444	
37-15299	37-16445	
37-15300	37-16446	
37-15866	37-16447	
37-15867	37-16449	
37-16086	37-16460	
37-16087	37-16461	
37-16108	37-16466	
37-16252	37-16547	
37-16253	37-16885	

SCANNED

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STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

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

2003 JAN 16 AM 8 43

Water Right 37-16291

SOURCE: UNNAMED STREAM TRIBUTARY: FISH CREEK, EAST FORK

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

POINT OF DIVERSION: T02N R23E S21 NENESW (Instream Beginning Point) Within Blaine County
S28 SWNENW (Instream Ending Point)

PLACE OF USE: Stockwater Within Blaine County
T02N R23E S21 NESW SESW
S28 NENW

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