

2003 APR 3 PM 1 52

**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:

|          |          |          |          |          |          |
|----------|----------|----------|----------|----------|----------|
| 37-04388 | 37-13568 | 37-13631 | 37-13714 | 37-19895 | 37-19965 |
| 37-12192 | 37-13571 | 37-13632 | 37-13721 | 37-19896 | 37-19967 |
| 37-13431 | 37-13572 | 37-13633 | 37-13722 | 37-19897 | 37-19968 |
| 37-13432 | 37-13573 | 37-13635 | 37-13723 | 37-19898 | 37-19969 |
| 37-13433 | 37-13574 | 37-13636 | 37-13724 | 37-19899 | 37-19970 |
| 37-13441 | 37-13575 | 37-13637 | 37-13726 | 37-19900 | 37-19971 |
| 37-13443 | 37-13576 | 37-13638 | 37-13727 | 37-19901 | 37-19972 |
| 37-13445 | 37-13578 | 37-13639 | 37-13728 | 37-19902 | 37-19973 |
| 37-13448 | 37-13579 | 37-13641 | 37-13729 | 37-19903 | 37-19974 |
| 37-13451 | 37-13580 | 37-13642 | 37-13730 | 37-19904 | 37-19975 |
| 37-13453 | 37-13581 | 37-13645 | 37-13731 | 37-19906 | 37-19976 |
| 37-13454 | 37-13582 | 37-13646 | 37-13732 | 37-19907 | 37-19977 |
| 37-13456 | 37-13583 | 37-13647 | 37-13733 | 37-19908 | 37-19978 |
| 37-13462 | 37-13586 | 37-13653 | 37-13734 | 37-19909 | 37-19979 |
| 37-13463 | 37-13587 | 37-13654 | 37-13735 | 37-19910 | 37-19981 |
| 37-13470 | 37-13588 | 37-13656 | 37-13737 | 37-19911 | 37-19982 |
| 37-13475 | 37-13589 | 37-13658 | 37-13738 | 37-19912 | 37-19983 |
| 37-13480 | 37-13590 | 37-13659 | 37-13739 | 37-19913 | 37-19984 |
| 37-13481 | 37-13591 | 37-13661 | 37-13767 | 37-19914 | 37-19986 |
| 37-13484 | 37-13592 | 37-13662 | 37-13768 | 37-19915 | 37-19987 |
| 37-13485 | 37-13593 | 37-13663 | 37-19849 | 37-19916 | 37-19988 |
| 37-13489 | 37-13594 | 37-13667 | 37-19850 | 37-19917 | 37-19989 |
| 37-13490 | 37-13595 | 37-13668 | 37-19852 | 37-19918 | 37-19990 |
| 37-13491 | 37-13596 | 37-13669 | 37-19853 | 37-19919 | 37-19991 |
| 37-13495 | 37-13597 | 37-13670 | 37-19854 | 37-19920 | 37-19992 |
| 37-13496 | 37-13598 | 37-13671 | 37-19857 | 37-19922 | 37-19993 |
| 37-13498 | 37-13599 | 37-13672 | 37-19858 | 37-19923 | 37-19994 |
| 37-13499 | 37-13600 | 37-13673 | 37-19859 | 37-19924 | 37-19995 |
| 37-13500 | 37-13602 | 37-13674 | 37-19860 | 37-19925 | 37-19996 |
| 37-13501 | 37-13603 | 37-13677 | 37-19861 | 37-19929 | 37-19997 |
| 37-13503 | 37-13604 | 37-13678 | 37-19862 | 37-19930 | 37-19998 |
| 37-13514 | 37-13605 | 37-13679 | 37-19863 | 37-19931 | 37-19999 |
| 37-13520 | 37-13606 | 37-13680 | 37-19864 | 37-19932 | 37-20000 |
| 37-13521 | 37-13607 | 37-13681 | 37-19865 | 37-19936 | 37-20001 |
| 37-13532 | 37-13608 | 37-13683 | 37-19866 | 37-19937 | 37-20002 |
| 37-13544 | 37-13609 | 37-13685 | 37-19867 | 37-19938 | 37-20003 |
| 37-13546 | 37-13610 | 37-13687 | 37-19868 | 37-19939 | 37-20004 |
| 37-13549 | 37-13611 | 37-13688 | 37-19869 | 37-19951 | 37-20005 |
| 37-13550 | 37-13612 | 37-13689 | 37-19870 | 37-19952 | 37-20007 |
| 37-13551 | 37-13613 | 37-13690 | 37-19871 | 37-19953 | 37-20008 |
| 37-13552 | 37-13614 | 37-13691 | 37-19872 | 37-19954 | 37-20009 |
| 37-13555 | 37-13615 | 37-13692 | 37-19874 | 37-19955 | 37-20011 |
| 37-13560 | 37-13616 | 37-13694 | 37-19875 | 37-19956 | 37-20012 |
| 37-13561 | 37-13618 | 37-13695 | 37-19877 | 37-19957 | 37-20013 |
| 37-13562 | 37-13620 | 37-13703 | 37-19889 | 37-19958 | 37-20014 |
| 37-13563 | 37-13621 | 37-13704 | 37-19890 | 37-19960 | 37-20015 |
| 37-13564 | 37-13622 | 37-13706 | 37-19891 | 37-19961 | 37-20016 |
| 37-13565 | 37-13623 | 37-13707 | 37-19892 | 37-19962 | 37-20017 |
| 37-13566 | 37-13629 | 37-13708 | 37-19893 | 37-19963 | 37-20018 |
| 37-13567 | 37-13630 | 37-13713 | 37-19894 | 37-19964 | 37-20019 |

(Subcase list: B37F#315 )

4/03/03

EXHIBIT A

Subcase Nos:

37-20020  
37-20021  
37-20022  
37-20023  
37-20024  
37-20025  
37-20027  
37-20028

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

In Re SRBA ) PARTIAL DECREE PURSUANT TO  
 ) I.R.C.P. 54(b) FOR 2003 APR 3 PM 1 54  
Case No. 39576 )  
 )  
 ) Water Right 37-13580

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

SOURCE: UNNAMED STREAM TRIBUTARY: DEER CREEK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 06/01/1885

POINT OF DIVERSION: T03N R17E S34 SWNE (Instream Ending Point) Within Blaine County  
SESW (Instream Beginning Point)

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Stockwater     | 07-01 TO 10-31 | 0.02 CFS |

| PLACE OF USE: | Stockwater    | Within Blaine County |
|---------------|---------------|----------------------|
|               | T03N R17E S34 | SESW                 |
|               | NWSE          | SWSE                 |

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.

  
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Roger Burdick  
Presiding Judge of the  
Snake River Basin Adjudication