

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

2003 JAN 13 AM 11 05

**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)
) **ORDER OF PARTIAL DECREE**
Case No. 39576)
) **For Water Right 37-13547**
_____)

On 11-14-2002, 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 right 37-13547 is hereby decreed as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED January 13, 2003



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

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

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In Re SRBA

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

Case No. 39576

Water Right 37-13547

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

SOURCE: LITTLE WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 06/01/1887

POINT OF DIVERSION: T04N R20E S12 NWSW (Instream Ending Point) Within Blaine County
T05N R21E S19 SWNE (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 R20E S01	SWNE	SENE
		NESE	SWSE
		SESE	
	S11	SENE	
	S12	NWNE	SWNE
		NENW	SWNW
		SENE	NESW
		NWSW	
	T05N R20E S24	SESE	
	S25	NENE	SENE
		NESE	SESE
	S36	NENE	NWNE
		SENE	NENW
		NWNW	SWNW
		NESE	SESE
	R21E S19	SWNE	NESW
		SWSW	SESW
		NWSE	
	S30	NWNW	
	S31	SWNW	NWSW

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.

A handwritten signature in black ink, reading "Roger Bardick", is written over a horizontal line.

Roger Bardick
Presiding Judge of the
Snake River Basin Adjudication