

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 FALLS

2003 MAR 18 PM 10 31
FILED

In Re SRBA)
)
Case No. 39576)
_____)

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

Water Right 78-10429

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

SOURCE: ELK CREEK TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 05/01/1895

POINT OF DIVERSION: T22N R02E S05 LOT 4 (NWNW) (Instream Beginning Point) Within Adams County
S07 LOT 2 (SWNW) (Instream Ending Point)

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

PLACE OF USE:	Stockwater	Within Adams County
	T22N R02E S05 LOT 4 (NWNW)	SWNW
	S06 SENE	NESE
	NWSE	SWSE
	S07 NENW	NWNW
	LOT 2 (SWNW)	LOT 1 ()

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

RECEIVED DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
MAR 20 2003
FILED

Department of Water Resources
2003 MAR 18 AM 10 28

**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: See attached Exhibit A

On 01-30-2003, 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 in attached Exhibit A are hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED March 18, 2003.



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

Subcase Nos:

78-04145	78-10409	78-10477	78-10538
78-04146	78-10412	78-10478	78-10539
78-04147	78-10414	78-10479	78-10540
78-04150	78-10415	78-10481	78-10541
78-04153	78-10416	78-10482	78-10542
78-04155	78-10417	78-10483	78-10543
78-04156	78-10418	78-10484	78-10569
78-04178	78-10419	78-10485	78-10619
78-04179	78-10420	78-10487	78-10620
78-04180	78-10421	78-10489	78-10621
78-04182	78-10422	78-10490	78-10622
78-04183	78-10423	78-10492	78-10661
78-04189	78-10424	78-10494	78-11977
78-04192	78-10425	78-10495	78-11978
78-04227	78-10426	78-10496	78-11979
78-04230	78-10427	78-10497	78-11981
78-04231	78-10428	78-10499	78-11982
78-04240	78-10429	78-10500	78-11983
78-04242	78-10430	78-10501	78-11985
78-04245	78-10431	78-10502	78-11988
78-04273	78-10432	78-10503	78-11990
78-04274	78-10437	78-10504	78-11992
78-04326	78-10438	78-10505	78-11998
78-04368	78-10439	78-10506	78-11999
78-04370	78-10440	78-10510	78-12017
78-04371	78-10441	78-10511	78-12019
78-10381	78-10442	78-10512	78-12103
78-10383	78-10443	78-10514	
78-10385	78-10444	78-10515	
78-10386	78-10446	78-10516	
78-10387	78-10447	78-10517	
78-10388	78-10448	78-10518	
78-10390	78-10449	78-10520	
78-10391	78-10452	78-10521	
78-10392	78-10453	78-10522	
78-10393	78-10454	78-10523	
78-10394	78-10455	78-10524	
78-10395	78-10456	78-10525	
78-10396	78-10457	78-10526	
78-10397	78-10458	78-10527	
78-10398	78-10459	78-10528	
78-10399	78-10461	78-10529	
78-10400	78-10462	78-10530	
78-10401	78-10463	78-10531	
78-10402	78-10464	78-10532	
78-10404	78-10466	78-10533	
78-10405	78-10467	78-10534	
78-10406	78-10469	78-10535	
78-10407	78-10472	78-10536	
78-10408	78-10476	78-10537	

(Subcase list: TCB78UNCON)

3/18/03