

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED
2003 MAR 5 AM 9 37

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 72-16011
)
_____)

On 01-10-2003, 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 right 72-16011 is hereby **decreed** as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED March 5, 2003.



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

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PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 72-16011

2003 MAR 5 AM 9 37

NAME AND ADDRESS: USDI BLM
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE, ID 83709-1657

SOURCE: SALMON RIVER, EAST FORK TRIBUTARY: SALMON RIVER

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 06/28/1934

POINT OF DIVERSION: T09N R17E S11 NESWSW (Instream Ending Point) Within Custer County
 S14 LOT 4 (SNNWNW) (Instream Beginning Point)
 S15 SENWSE (Instream Ending Point)
 SENWSE (Instream Beginning Point)
 S22 NESESW (Instream Ending Point)
 SESESW (Instream Beginning Point)
 S28 SESENE (Instream Ending Point)
 SESWSE (Instream Beginning Point)
 R18E S03 LOT 3 (NENENW) (Instream Ending Point)
 LOT 4 (NWNWNW) (Instream Beginning Point)
 S04 LOT 3 (NENENW) (Instream Ending Point)
 LOT 3 (NWNENW) (Instream Beginning Point)
 LOT 3 (NWNENW) (Instream Beginning Point)
 LOT 3 (NWNENW) (Instream Ending Point)
 S05 LOT 1 (NENENE) (Instream Ending Point)
 LOT 2 (NENWNE) (Instream Beginning Point)
 LOT 2 (NWNWNE) (Instream Ending Point)
 LOT 3 (NWNENW) (Instream Beginning Point)
 T10N R18E S01 LOT 3 (SWNENW) (Instream Beginning Point)
 LOT 3 (SWNENW) (Instream Ending Point)
 SWNWSE (Instream Beginning Point)
 SWNWSE (Instream Ending Point)
 S13 NWNWNE (Instream Beginning Point)
 NWNWNE (Instream Ending Point)
 S24 NWSESW (Instream Ending Point)
 S25 SENWNW (Instream Beginning Point)
 S35 SWNESW (Instream Ending Point)
 SENWSW (Instream Beginning Point)
 T11N R18E S22 LOT 5 (NWNESW) (Instream Ending Point)
 S26 SWNWNW (Instream Beginning Point)
 S35 LOT 1 (NWNWNE) (Instream Ending Point)
 LOT 1 (SWNWNE) (Instream Beginning Point)
 SWNESE (Instream Beginning Point)
 NWNESE (Instream Ending Point)

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.02 CFS

PLACE OF USE: Stockwater Within Custer County
 T09N R17E S11 SWSW
 S14 LOT 4 (NWNW)
 S15 NWSE
 S22 SESW

PLACE OF USE (continued)

S28	SENE	NESE
	SWSE	SESE
R18E S03 LOT 3	(NENW)	LOT 4 (NWNW)
S04 LOT 3	(NENW)	
S05 LOT 1	(NENE)	LOT 2 (NWNE)
LOT 3	(NENW)	
T10N R18E S01 LOT 3	(NENW)	NWSE
S13	NWNE	
S24	SWSW	SESW
S25	NWNW	
S35	NESE	NWSW
T11N R18E S22 LOT 5	(NESW)	NWSE
	SWSE	
S26	NWNW	
S27	NENE	NWNE
S35 LOT 1	(NWNE)	LOT 2 (NWNE)
	NESE	

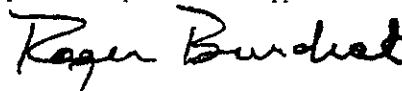
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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