

2003 MAR 5 PM 1 07

**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 Basin 67)**

On 01-31-2003, 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 5, 2003.



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

Subcase Nos:

67-04350	67-04447	67-11826	67-11891	67-11957	67-12014
67-04351	67-04476	67-11827	67-11892	67-11958	67-12015
67-04356	67-04477	67-11829	67-11893	67-11959	67-12016
67-04357	67-04481	67-11830	67-11894	67-11960	67-12017
67-04358	67-04482	67-11831	67-11895	67-11961	67-12018
67-04359	67-04502	67-11832	67-11897	67-11962	67-12019
67-04363	67-04505	67-11833	67-11898	67-11963	67-12020
67-04365	67-04506	67-11834	67-11900	67-11965	67-12021
67-04366	67-04507	67-11835	67-11903	67-11966	67-12022
67-04371	67-04582	67-11836	67-11905	67-11967	67-12023
67-04372	67-04583	67-11837	67-11906	67-11968	67-12024
67-04373	67-07552	67-11838	67-11907	67-11969	67-12025
67-04374	67-07613	67-11839	67-11908	67-11970	67-12026
67-04375	67-07832	67-11841	67-11909	67-11971	67-12027
67-04377	67-11780	67-11842	67-11910	67-11972	67-12028
67-04378	67-11781	67-11843	67-11911	67-11973	67-12029
67-04379	67-11782	67-11844	67-11912	67-11974	67-12034
67-04380	67-11783	67-11845	67-11913	67-11975	67-12035
67-04381	67-11785	67-11846	67-11914	67-11976	67-12037
67-04383	67-11786	67-11847	67-11916	67-11978	67-12038
67-04385	67-11787	67-11848	67-11917	67-11979	67-12039
67-04386	67-11788	67-11849	67-11924	67-11980	67-12040
67-04388	67-11790	67-11852	67-11926	67-11982	67-12041
67-04389	67-11791	67-11853	67-11927	67-11983	67-12042
67-04390	67-11792	67-11854	67-11928	67-11984	67-12043
67-04391	67-11793	67-11855	67-11929	67-11985	67-12044
67-04393	67-11794	67-11857	67-11930	67-11986	67-12045
67-04394	67-11795	67-11858	67-11931	67-11987	67-12046
67-04395	67-11797	67-11860	67-11933	67-11988	67-12047
67-04396	67-11799	67-11861	67-11934	67-11989	67-12048
67-04398	67-11800	67-11862	67-11935	67-11990	67-12050
67-04399	67-11801	67-11863	67-11936	67-11991	67-12051
67-04400	67-11802	67-11864	67-11937	67-11992	67-12054
67-04401	67-11803	67-11865	67-11938	67-11993	67-12055
67-04403	67-11804	67-11866	67-11939	67-11994	67-12056
67-04404	67-11805	67-11867	67-11940	67-11996	67-12058
67-04406	67-11806	67-11868	67-11941	67-11997	67-12059
67-04407	67-11807	67-11869	67-11943	67-11998	67-12060
67-04408	67-11808	67-11870	67-11944	67-12001	67-12061
67-04427	67-11812	67-11871	67-11945	67-12003	67-12062
67-04428	67-11815	67-11872	67-11946	67-12004	67-12063
67-04429	67-11816	67-11879	67-11947	67-12005	67-12065
67-04431	67-11817	67-11881	67-11948	67-12006	67-12066
67-04432	67-11818	67-11883	67-11950	67-12007	67-12067
67-04439	67-11819	67-11884	67-11951	67-12008	67-12068
67-04440	67-11820	67-11885	67-11952	67-12009	67-12069
67-04441	67-11821	67-11886	67-11953	67-12010	67-12070
67-04442	67-11822	67-11887	67-11954	67-12011	67-12071
67-04443A	67-11823	67-11888	67-11955	67-12012	67-12072
67-04446	67-11825	67-11890	67-11956	67-12013	67-12073

(Subcase list: TCB67UNCON)
3/05/03

Subcase Nos:

67-12075	67-14130	67-14212
67-12076	67-14138	67-14213
67-12077	67-14139	67-14214
67-12078	67-14141	67-14215
67-12079	67-14163	67-14216
67-12080	67-14164	67-14217
67-12081	67-14166	67-14218
67-12082	67-14167	67-14219
67-12083	67-14168	67-14220
67-12084	67-14169	67-14231
67-12086	67-14170	67-14232
67-12088	67-14171	
67-12090	67-14172	
67-12091	67-14173	
67-12092	67-14174	
67-12093	67-14175	
67-12094	67-14176	
67-12095	67-14177	
67-12096	67-14178	
67-12097	67-14179	
67-12098	67-14180	
67-12099	67-14181	
67-12100	67-14182	
67-12101	67-14183	
67-12102	67-14184	
67-12103	67-14185	
67-12104	67-14186	
67-12105	67-14187	
67-12106	67-14188	
67-12107	67-14189	
67-12112	67-14190	
67-12113	67-14191	
67-12114	67-14192	
67-12115	67-14193	
67-12117	67-14194	
67-12119	67-14195	
67-12121	67-14196	
67-12122	67-14197	
67-12123	67-14200	
67-12124	67-14201	
67-12125	67-14202	
67-12126	67-14203	
67-12127	67-14204	
67-12128	67-14205	
67-12130	67-14206	
67-12131	67-14207	
67-12132	67-14208	
67-13505	67-14209	
67-13506	67-14210	
67-13508	67-14211	

(Subcase list: TCB67UNCON)
3/05/03

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)
)
Case No. 39576)
_____)

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

2003 MAR 5 PM 11 26

Water Right 67-12040

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

SOURCE: BIG CREEK TRIBUTARY: WEISER RIVER, MIDDLE FORK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 06/01/1883

POINT OF DIVERSION: T15N R02E S02 LOT 6 (NENW) (Instream Beginning Point) Within Adams County
S04 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
	T15N R02E S02 LOT 6 (NENW)	NWNW
	LOT 4 ()	LOT 5 ()
	S03 NENE	NWNE
	NENW	NWNW
	LOT 1 ()	LOT 2 ()
	LOT 3 ()	LOT 4 ()
	LOT 5 ()	LOT 6 ()
	LOT 7 ()	LOT 8 ()
	S04 NENE	NWNE
	NENW	SWNW
	SENW	LOT 1 ()
	LOT 2 ()	LOT 3 ()
	LOT 6 ()	LOT 7 ()
	LOT 8 ()	
	T16N R02E S34 SESE	
	S35 SWSW	

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