

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) FOR  
Water Right 67-12016

2003 MAR 5 AM 11 43

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

SOURCE: COTTONWOOD CREEK, NORTH FORK TRIBUTARY: COTTONWOOD CREEK

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: T16N R01E S02 SWSE (Instream Beginning Point) Within Adams County  
S09 SWSW (Instream Ending Point)

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|----------------------------|----------------|----------------|----------|
|                            | Stockwater     | 06-01 TO 10-31 | 0.02 CFS |

| PLACE OF USE: | Stockwater    |      | Within Adams County |
|---------------|---------------|------|---------------------|
|               | T16N R01E S02 | NWSW | SESW                |
|               |               | SWSE |                     |
|               | S03           | NESW | NWSW                |
|               |               | NESE | NWSE                |
|               | S04           | SWSE | SESE                |
|               | S09           | NWNE | SWNE                |
|               |               | NESW | SWSW                |
|               |               | SESW | NWSE                |

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*

Roger Burdick  
Presiding Judge of the  
Snake River Basin Adjudication