

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

2003 MAR 14 AM 9 44

**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

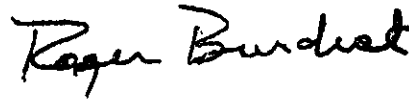
)
) **ORDER OF PARTIAL DECREE**
)
) **For Water Right 51-04106**
)

On 01-13-2003, 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 51-04106 is hereby **decreed** as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED March 14, 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

2003 MAR 14 PM 9 44

Water Right 51-04106

NAME AND ADDRESS: WELLS LIVESTOCK INC
782 E 3800 N
BUHL, ID 83316-5934

SOURCE: CLOVER CREEK TRIBUTARY: BRUNEAU RIVER

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 04/01/1946

POINT OF DIVERSION:	T11S R09E S35	NENWSW	(Instream Ending Point)	Within Owyhee County
	T12S R09E S02	NESWNE	(Instream Beginning Point)	
	R10E S07	NENESW	(Instream Ending Point)	
	S19	SESWNE	(Instream Beginning Point)	
	S28	SESESW	(Instream Beginning Point)	
	S29	NWNENW	(Instream Ending Point)	

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

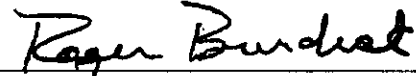
PLACE OF USE:	Stockwater		Within Owyhee County
	T11S R09E S35	NWSW	SWSW
		SESW	
	T12S R09E S02 LOT 2	(NWNE)	SWNE
	LOT 3	(NENW)	
	R10E S07	NESW	SESW
		NWSE	SWSE
	S18	NENW	SENW
		NESW	NWSW
		SESW	
	S19	NWNE	SWNE
		NENW	
	S28	NWSW	SWSW
		SESW	
	S29	NWNE	SWNE
		NENW	NESE
		NWSE	

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
Presiding Judge of the
Snake River Basin Adjudication