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Department of Water Resources

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

2003 JAN 8 AM 11 00

**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

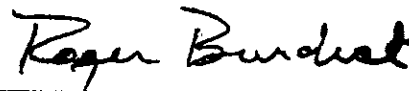
)
) **ORDER OF PARTIAL DECREE**
)
) **For Water Right 51-12436**
)

On 11-21-2002, 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 51-12436 is hereby decreed as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED January 8, 2003



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

DISTRICT COURT-SRBA
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In Re SRBA)
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_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 51-12436

2003 JAN 8 AM 11 00

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

SOURCE: UNNAMED STREAM TRIBUTARY: CLOVER CREEK

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:	T14S R10E S09	SWSWSE	(Instream Beginning Point) Within Owyhee County
		SESE	(Instream Ending Point)
	S21	NENE	(Instream Ending Point)
		SENE	(Instream Ending Point)
	S26	SENW	(Instream Beginning Point)
		SWSE	(Instream Beginning Point)
	S27	NWNW	(Instream Ending Point)
		NWSW	(Instream Ending Point)
	S28	NWSW	(Instream Beginning Point)
	S29	NWSE	(Instream Beginning Point)
	S34	NWNW	(Instream Ending Point)
		SESE	(Instream Beginning Point)
	S35	NWSW	(Instream Beginning Point)
	T15S R10E S03	NWSW	(Instream Beginning 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
	T14S R10E S09	SWSE	SESE
	S20	SESW	SWSE
		SESE	
	S21	NENE	SWNE
		SENE	NESW
		NWSW	NESE
		NWSE	SWSE
		SESE	
	S22	NESW	NWSW
		SWSW	NESE
		NWSE	
	S23	NWSW	SWSW
	S26	NENW	NWNW
		SENW	NWSW
		SWSW	SESW
		SWSE	
	S27	SWNE	SENE
		NWNW	SWNW
		SENW	NWSW
		SWSW	SESW
		NESE	
	S28	NWNE	NENW
		SENW	NESW
		NWSW	

PLACE OF USE (continued)

S29	SWNE	NENW
	SENW	NWSE
S34	NENE	NWNE
	SENE	NENW
	NWNW	SWNW
	SENW	NESW
	NWSW	SWSW
	NWSE	SWSE
	SESE	
S35	NWNE	NENW
	SWNW	NWSW
T15S R10E S03 LOT 4	(NWNW)	SWNW
	NESW	NWSW

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