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Department of Water Resources

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

2003 JAN 8 PM 1 12

**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

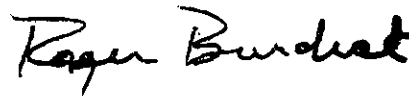
)
) **ORDER OF PARTIAL DECREE**
)
) **For Water Right 51-12013**
)

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 51-12013 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

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 51-12013

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

SOURCE: POISON CREEK TRIBUTARY: JARBIDGE 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: T13S R08E S32 SWNESE (Instream Ending Point) Within Owyhee County
T14S R09E S35 SENESE (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

T13S R08E S32	NESE	NWSE
S33	NESW	NWSW
	SESW	SWSE
T14S R08E S03 LOT 3	(NENW)	LOT 4 (NWNW)
	SENW	NESW
	NWSE	SWSE
	SESE	
S04 LOT 1	(NENE)	LOT 2 (NWNE)
S10	NENE	NWNE
	SWNE	SENE
	NESE	SESE
S14	NWNW	SWNW
S15	SENE	NESE
	SESE	
S22	NENE	
S23	NENE	SWNE
	SENE	NENW
	NWNW	SENE
S24	NWNW	SWNW
	SENE	NESW
	NWSW	SESW
	NWSE	SWSE
S25	NENE	NWNE
	SENE	
R09E S29	NWSW	SWSW
S30	SWNE	SENE
LOT 1	(NENW)	LOT 2 (SENE)
	NESE	
S32	NWNE	SWNE
	SENE	NENW
	NWNW	NESE
S33	SWNW	SENE
	NESW	NWSW
	NESE	NWSE
S34	NESW	NWSW
	SWSW	SESW

PLACE OF USE (continued)

	NESE	NWSE
	SWSE	
S35	NESW	NWSW
	SWSW	SESW
	NESE	NWSE

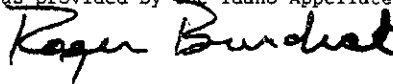
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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