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Department of Water Resources

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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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)
CONSOLIDATED ORDER FOR
ENTRY OF PARTIAL DECREES

Subcases: 43-07161 and 43-07268

1. On June 9, 1999, *Special Master's Report* was filed for the above listed water rights.

2. On July 28, 1999, Joe Tugaw, Scott Bedke, Gary Poulton, and Michael Poulton, through their attorney Norman M. Semanko, filed a *Motion to Alter or Amend Special Master's Recommendations*.

3. On December 21, 1999, the parties filed an *Amended Stipulation of Dismissal* asking that the *Motion to Alter or Amend Special Master's Recommendations* be dismissed.

4. On May 22, 2000, the Special Master entered an *Amended Order Dismissing Motions to Alter or Amend and Recommendation* dismissing the *Motion to Alter or Amend Special Master's Recommendations* and recommending that partial decrees be entered in accordance with the *Special Master's Report* filed June 9, 1999.

No Challenges were filed to the *Special Master's Report* 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 43-07161 and 43-07268 are hereby separately decreed as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

IT IS FURTHER ORDERED that this *Consolidated Order for Entry of Partial Decrees* is entered for the purpose of judicial economy so as to not require the Court to enter an individual order for each separate partial decree. Therefore, in the event of an appeal of a

specific partial decree, the record on appeal will be limited to the record established in that specific subcase, and not all of the subcases enumerated in this Consolidated Order.

DATED: 6-12-00.


BARRY WOOD
Administrative District Judge and
Presiding Judge of the
Snake River Basin Adjudication

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)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 43-07268

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

SOURCE: SPRINGS TRIBUTARY: SINKS
SOURCE IS ALSO KNOWN AS POTHOLES SPRING

QUANTITY: 0.01 CFS
0.50 AFY

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

PRIORITY DATE: 03/13/1986

POINT OF DIVERSION: T14S R25E S12 SENWNW Within Cassia County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	06-01 TO 10-30	0.02 CFS 0.50 AFY
	Wildlife	01-01 TO 12-31	0.01 CFS 0.10 AFY

PLACE OF USE:	Wildlife	Within Cassia County
	T14S R25E S12 NWNW	
	Stockwater	Within Cassia County
	T14S R25E S12 NWNW	

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.

Barry Wood

Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

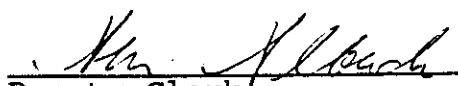
CERTIFICATE OF MAILING

I certify that a true and correct copy of the CONSOLIDATED ORDER FOR ENTRY OF PARTIAL DECREES was mailed on June 12, 2000, with sufficient first-class postage to the following:

USDI BLM

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098


Deputy Clerk