

RECEIVED
AUG 02 2002
Department of Water Resources
Application Bureau

2002 JUL 31 PM 12:19
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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 31-231, 31-269, 31-270,
) 31-271, 31-272, 31-273, 31-274, 31-275, 31-
276, 31-277, 31-278, 31-279, 31-280, 31-281,
31-282, 31-283, 31-284, 31-2363, 31-11232

On May 31, 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 31-231, 31-269, 31-270, 31-271, 31-272, 31-273, 31-274, 31-275, 31-276, 31-277, 31-278, 31-279, 31-280, 31-281, 31-282, 31-283, 31-284, 31-2363, 31-11232 is hereby decreed as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED July 31, 2002



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

ORDER OF PARTIAL DECREE

SCANNED
AUG 11 2002

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. 19576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 31-00231

SEE WL 31 2112:20
DISTRICT COURT-5th JUDICIAL
TWIN FALLS CO., IDAHO
FILED _____

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTIN
USDI FISH AND WILDLIFE SERVICE
DIVISION OF ENGINEERING
911 N E 11TH AVE
PORTLAND, OR 97232-4181

SOURCE: UNNAMED SLOUGH TRIBUTARY: WARM CREEK

QUANTITY: 0.80 CFS

PRIORITY DATE: 04/01/1916

POINT OF DIVERSION: T07N R36E S16 NENWSW Within Jefferson County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Wildlife	04-01 TO 10-31	0.80 CFS

PLACE OF USE:	Wildlife		Within Jefferson County
	T07N R36E S08	NENE	SENE
		NESE	
	S09	NENE	NWNE
		SWNE	SENE
		NENW	SENW
		NESW	SWSW
		SESW	NESE
		NWSE	SWSE
		SESE	
	S16	NENE	NWNE
		SWNE	SENE
		NENW	NWNW
		SWNW	SENW
		NESW	NWSW

THIS RIGHT IS LIMITED TO 40 ACRES WITHIN THE BOUNDARY OF THE
PLACE OF USE DESCRIBED ABOVE.

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

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

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREE was mailed on July 30, 2002, with sufficient first-class postage to the following:

UNITED STATES OF AMERICA
UNITED STATES OF AMERICA ACTIN
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

SCANNED

AUG 17 2002

ORDER

Page 1 7/31/02

FILE COPY FOR 00247

Robbin Glass
Deputy Clerk