

RECEIVED

FEB 03 1999

Department of Water Resources

1999 JUN 29 PM 1:00

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

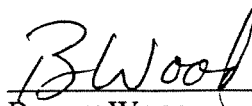
) For Water Right 27-11467

On December 30, 1998, 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 27-11467 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED 1-29-99.



BARRY WOOD

Administrative District Judge
Interim 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 27-11467

1999 JAN 29 PM 2:09

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

NAME AND ADDRESS: USDA FOREST SERVICE
550 W FORT ST, MSC 033
BOISE, ID 83724

SOURCE: LANES CREEK TRIBUTARY: BLACKFOOT RIVER

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 06/01/1880

POINT OF DIVERSION: T05S R45E S30 SWSW (Instream Ending Point) Within Caribou County
T06S R45E S09 NWNW (Instream Beginning Point)

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Stockwater 07-01 TO 09-30 0.02 CFS

PLACE OF USE: Stockwater Within Caribou County
T05S R45E S30 SWSW NENW NWNW
S31 NWSE SENW
SESE SWSE
SWNE
T06S R45E S05 NESW NWNW
NWSE SENW
SESE SWNW
SWSE
S06 NENE
S08 NENE
S09 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.

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
Administrative District Judge
Interim Presiding Judge of the
Snake River Basin Adjudication

1999 FEB 02 PM 02:00
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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 27-11467

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 27-11467 was mailed
on February 02, 1999, with sufficient first-class postage prepaid
to the following:

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

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

DIANA DELANEY
Chief Deputy Clerk

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS
IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576
Ident. Number: 27-11467

RECEIVED

FILED UNDER STATE LAW

1. Name of Claimant: UNITED STATES OF AMERICA on behalf of the U.S.D.A. Forest Service
Address: 550 W. Fort Street MSC033

MAR 18 1998

Boise ID 83724

Department of Water Resources

2. Date of Priority: 06/01/1880

3. Source of water: LANES CREEK

Tributary: BLACKFOOT RIVER

4. Location Meridian BOISE

Description of Diversion Works: None

From: Stream

Location of Point of Diversion

T: 05 S R: 45 E S: 30 SWSW E T: 06 S R: 45 E S: 9 NWNW B

Location of Point of Use

T: 05	S	R: 45	E	S: 30	SWSW	T: 05	S	R: 45	E	S: 31	NENW
T: 05	S	R: 45	E	S: 31	NWNW	T: 05	S	R: 45	E	S: 31	NWSE
T: 05	S	R: 45	E	S: 31	SENW	T: 05	S	R: 45	E	S: 31	SESE
T: 05	S	R: 45	E	S: 31	SWSE	T: 06	S	R: 45	E	S: 5	NESW
T: 06	S	R: 45	E	S: 5	NWNW	T: 06	S	R: 45	E	S: 5	NWSE
T: 06	S	R: 45	E	S: 5	SENW	T: 06	S	R: 45	E	S: 5	SESE
T: 06	S	R: 45	E	S: 5	SWNW	T: 06	S	R: 45	E	S: 5	SWSE
T: 06	S	R: 45	E	S: 6	NENE	T: 06	S	R: 45	E	S: 8	NENE
T: 06	S	R: 45	E	S: 9	NWNW						

5. Quantity claimed: Period Quantity For
7/ 01 - 9/ 30 0.02 CFS Stockwater

6. Total Consumptive Use Claimed for Present and Future Use is:

0.02 CFS

7. Present and future uses to which the water is or will be used:

Stockwater

8. Attach the legal description of the reservation, and maps showing for each consumptive use the existing and proposed place of use and existing points of diversion.

Bound separately

9. Remarks:

State Basin: 27

National Forest: Caribou

Forest Service Record ID: 04 05 17040207 16 0655

10. Describe any other water rights used at the same place and for the same purposes as described above: None

11. Counties within the reservation: Not available

Notice is hereby given that the United States Department of Justice will represent the Department of Agriculture, Forest Service, in all matters pertaining to the Snake River Basin Adjudication. All notices required by law to be mailed by the Director to the claimant should be mailed to the individuals at the address below:

Bruce Bernard
U.S. Department of Justice
Environment and Natural Resources Division
550 W. Fort Street, Box 33
Boise, ID 83724

This form is an attachment to a letter forwarding the claims of the U.S. Department of Agriculture, Forest Service. The signature and affirmation on such letter constitutes the signature of the authorized agent representing the United States of America required for each such claim.

6/1/1880

Stage: BENEFICIAL USE

CARIBOU County
CARIBOU County

NE

[illegible]

Conditions of Approval:

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

Remarks: EXP FOREST SERVICE RECORD ID = 040517040207160655 000
2200 Sheep

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:	
		Presumption Flag:	

DATE: 04/24/98
PAGE: 36

TOTAL DIVERSION: 0.02 CFS

Point(s) of Beginning Stream Reach:	T06S R45E S09	N4NW	CARIBOU County
Point(s) of Ending Stream Reach:	T05S R45E S30	S4SW	CARIBOU County

SE

T	R	S	NENE	NNNE	SNNE	SENE	NENN	NNNN	SNNN	SENN	NESE	NNSE	SNSE	SESE
			Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
05S	45E	30	:	:	:	:	:	:	:	:	:	:	:	:
05S	45E	31	:	:	:	:	S	S	S	S	:	S	S	S
06S	45E	5	:	:	:	:	:	S	S	S	:	S	S	S
06S	45E	6	:	:	:	:	:	:	:	:	:	:	:	:
06S	45E	8	:	:	:	:	:	:	:	:	:	:	:	:
06S	45E	9	:	:	:	:	S	:	:	:	:	:	:	:

Non-Irrigation Uses: 2200 Sheep

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
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Misc: Water District Number: Field Inspection Flag:
Presumption Flag: