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Department of Water Resources

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

2003 APR 1 AM 11 49

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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ORDER OF PARTIAL DECREE

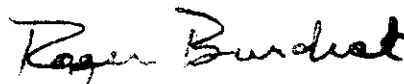
**For Water Rights 84-10862, 84-10863, 84-10864,
84-10865, 84-10867, 84-10868, 84-10869,
84-10870, 84-10871, 84-10872, 84-10873,
84-12057, 84-12061, and 84-12063**

On February 20, 2003, 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 rights 84-10862, 84-10863, 84-10864, 84-10865, 84-10867, 84-10868, 84-10869, 84-10870, 84-10871, 84-10872, 84-10873, 84-12057, 84-12061, and 84-12063 are hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED April 1, 2003.



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

DISTRICT COURT - SRBA
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STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS
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In Re SRBA)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

2003 APR 1 AM 11 50

Water Right 84-10872

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

SOURCE: CEDAR CREEK TRIBUTARY: ELDORADO CREEK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 05/01/1889

POINT OF DIVERSION: T34N R06E S17 SWNE (Instream Ending Point) Within Idaho County
T35N R06E S27 SWSE (Instream Beginning Point)

PURPOSE AND			
PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	05-01 TO 10-31	0.02 CFS

PLACE OF USE:	Stockwater		Within Idaho County
	T34N R06E S03 LOT 2	(NWNE)	SWNE
		NWSE	SWSE
	S09	NENE	NWNE
		NENW	SENE
		NWSE	SWSE
	S10	NWNE	NENW
		NWNW	
	S16	NWNE	NENW
		NWNW	SWNE
		SENE	
	S17	SWNE	SENE
	T35N R06E S09	SWNE	
	S17	NENE	
	S27	SWSE	
	S34	NWNE	SWNE
		NENW	SENE
		NESW	NWSE
		SWSE	

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.

A handwritten signature in black ink, reading "Roger Burdick", is written over a horizontal line.

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication