

BASIN 33 GENERAL PROVISIONS

The director recommends that the following general provisions be included in the decree determining rights to water from Basin 33.

The following surface water rights from the following source of water in Basin 33 shall be administered separately from all other surface water rights in Basin 33:

<u>Water Right No.</u>	<u>Source</u>
33-00003	Dry Creek
33-00085	Dry Creek
33-00093D	Dry Creek
33-00097A	Dry Creek
33-00097C	Dry Creek
33-00097D	Dry Creek
33-00098	Dry Creek
33-00100	Dry Creek
33-10074	Dry Creek
33-07077	Dry Creek
33-10170	Dry Creek
33-10482	Dry Creek
33-10810	Dry Creek

The following water rights from the following sources of water in Basin 33 shall be administered separately from all other water rights in the Snake River Basin:

<u>Water Right No.</u>	<u>Source</u>
None	None

All water rights within Basin 33 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.

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JUL 28 2005

Department of Water Resources
Adjudication Bureau

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUL 27 2005	
Clerk	
Deputy Clerk	

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

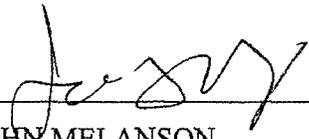
In Re SRBA)
) **ORDER OF PARTIAL DECREE FOR**
Case No. 39576) **GENERAL PROVISIONS IN BASIN 33**
 _____)

On February 1, 2000, pursuant to Idaho Code § 42-1411(3), the Director of the Idaho Department of Water Resources filed a *Director's Report* recommending general provisions applicable to water rights in Basin 33. The only general provision recommended by the Director in Basin 33 is the connected sources (conjunctive management) general provision. No objections have been filed to the general provision portion of the Basin 33 *Director's Report*. On June 20, 2000, pursuant to Idaho Code § 42-1412(7), the Court held a hearing on those portions of the *Director's Report* for which no objection was filed.

On February 27, 2002, Judge Burdick issued a *Memorandum Decision and Order of Partial Decree* in Basin Wide Issue 5 (Connected Sources General Provision), subcase 91-00005. Therein, Judge Burdick decreed the form of the conjunctive management general provision to be used in each administrative basin within the Snake River Basin Adjudication. The connected sources general provision recommended in the Basin 33 *Director's Report* has been modified to make it consistent with the *Order* issued in Basin Wide Issue 5.

In accordance with the foregoing, IT IS ORDERED that the Basin 33 general provisions are hereby **decreed** as set forth in the *Partial Decree Pursuant to I.R.C.P. 54(b)* entered contemporaneously herewith.

Dated July 27, 2005



 JOHN MELANSON
 Presiding Judge
 Snake River Basin Adjudication

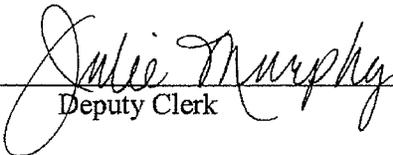
CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREE FOR GENERAL PROVISIONS IN BASIN 33 was mailed on July 27, 2005 with sufficient first-class postage to the following:

Director of IDWR
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Div.
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, Idaho 83711-4449

U.S. Department of Justice
Environment & Natural Resources Div.
550 W Fort St., MSC 033
Boise, ID 83724


Deputy Clerk

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 JUL 28 2005
 DEPARTMENT OF
 WATER RESOURCES

DISTRICT COURT-SRBA
 Fifth Judicial District
 County of Twin Falls - State of Idaho

JUL 27 2005

By _____ Clerk
 _____ 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 SRBA)
) PARTIAL DECREE PURSUANT TO
 Case No. 39576) I.R.C.P. 54(b) FOR GENERAL
) PROVISIONS IN BASIN 33
)

The following general provisions are hereby decreed to be applicable to water rights in Basin 33.

The following water rights from the following sources of water in Basin 33 shall be administered separately from all other water rights in Basin 33 in accordance with the prior appropriation doctrine as established by Idaho Law.

<u>Water Right No.</u>	<u>Source</u>
33-3	Dry Creek
33-85	Dry Creek
33-93D	Dry Creek
33-97A	Dry Creek
33-97C	Dry Creek
33-97D	Dry Creek
33-98	Dry Creek
33-100	Dry Creek
33-7077	Dry Creek
33-10074	Dry Creek
33-10170	Dry Creek
33-10482	Dry Creek
33-10810	Dry Creek

The following water rights from the following sources of water in Basin 33 shall be administered separately from all other water rights in the Snake River Basin in accordance with the prior appropriation doctrine as established by Idaho law.

<u>Water Right No.</u>	<u>Source</u>
NONE	NONE

Except as otherwise specified above, all other water rights within Basin 33 will be administered as connected sources of water in the Snake River Basin in accordance with the prior appropriation doctrine as established by Idaho law.

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 in the Idaho Appellate Rules.

Dated July 27, 2005



JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

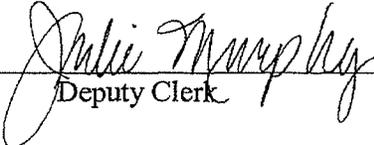
CERTIFICATE OF MAILING

I certify that a true and correct copy of the **PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b) FOR GENERAL PROVISIONS IN BASIN 33** was mailed on *July 27, 2005* with sufficient first-class postage to the following:

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