

**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 41**
_____)

On November 2, 1999, 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 41. The only general provision recommended by the Director in Basin 41 is the connected sources (conjunctive management) general provision. No objections have been filed to the general provision portion of the Basin 41 *Director's Report*. On March 21, 2000, pursuant to Idaho Code § 42-1412(7), a hearing was held 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 41 *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 41 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 28, 2005

/s/ John Melanson
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 41 was mailed on _____ 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 83411-4449

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

Deputy Clerk