

RECEIVED

JAN 25 2001

Department of Water Resources

2001 JAN 24 AM 9:27
FILED
TWIN FALLS CO., IDAHO
SRBA

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

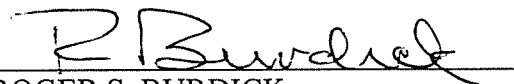
For Water Right 57-10770B

On November 28, 1997 a *Special Master's Report and Recommendation* was filed for the above water right. *Notices of Challenge* were filed by the United States Department of Justice and by Richard L. Harris, attorney for Joyce Livestock.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, Judge Daniel C. Hurlbutt entered an *Order Denying Challenges and Adopting Special Master's Report and Recommendation* on September 30, 1998.

Therefore, IT IS ORDERED that water right 57-10770B is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED January 24, 2001.



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

RECEIVED

JAN 25 2001

Department of Water Resources

2001 JAN 24 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): 57-10770B

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 57-10770B was mailed
on January 24, 2001, with sufficient first-class postage prepaid
to the following:

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

JOYCE LIVESTOCK CO
Represented by:
RICHARD L. HARRIS
PO BOX 1438
1023 ARTHUR STREET
CALDWELL, ID 83606
Phone: 208-459-1588

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

SCANNED
JAN 28 2003

PAGE 1
01/24/01

RECEIVED

JAN 25 2001

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

Department of Water Resources

2001 JAN 24 AM 9: 27

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 57-10770B

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: JOYCE LIVESTOCK CO
C/O PAUL NETTLETON
MURPHY, ID 83650

SOURCE: TIDDIE CREEK
UNNAMED STREAMS
UNNAMED STREAMS
HORSE RANCH CREEK
STOBIE GULCH
SCOTCH BOB CREEK
UNNAMED STREAMS
SINKER CREEK, NORTH FORK
UNNAMED STREAMS
UNNAMED STREAM
SINKER CREEK, SOUTH FORK
SINKER CREEK
GRAY EAGLE CREEK

TRIBUTARY: SINKER CREEK, NORTH FORK
SINKER CREEK, NORTH FORK
HORSE RANCH CREEK
SINKER CREEK, NORTH FORK
SINKER CREEK
SINKER CREEK
SINKER CREEK, SOUTH FORK
SINKER CREEK
SINKER CREEK
SCOTCH BOB CREEK
SINKER CREEK
SNAKE RIVER
HORSE RANCH CREEK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 08/24/1985

POINT OF DIVERSION:	T03S R03W S32	NENE	(Instream Beginning Point) Within Owyhee County
	S33	NWSE	(Instream Ending Point)
	T04S R02W S10	NWSE	(Instream Beginning Point)
		NWSE	(Instream Ending Point)
	S17	SESW	(Instream Ending Point)
	S19	SWNW	(Instream Beginning Point)
		SESW	(Instream Ending Point)
	S20	NWNE	(Instream Ending Point)
		NENW	(Instream Ending Point)
		NWNW	(Instream Beginning Point)
		SESW	(Instream Beginning Point)
		SWSE	(Instream Ending Point)
	S30	NESE	(Instream Ending Point)
	R03W S08	NENE	(Instream Beginning Point)
		SESE	(Instream Ending Point)
	S11	SESE	(Instream Beginning Point)
	S12	SESE	(Instream Beginning Point)
	S13	NENE	(Instream Beginning Point)
		SESE	(Instream Ending Point)
	S15	NWSW	(Instream Beginning Point)
	S17	SESE	(Instream Ending Point)
	S18	SESE	(Instream Ending Point)
	S19	NENE	(Instream Beginning Point)
	S20	SWNW	(Instream Beginning Point)
		SESW	(Instream Ending Point)
		SWSE	(Instream Beginning Point)
	S21	NWNW	(Instream Ending Point)
		SWSW	(Instream Beginning Point)
		NESE	(Instream Ending Point)
	S22	NESE	(Instream Ending Point)
		NWSE	(Instream Beginning Point)
	S23	NENE	(Instream Ending Point)
		NWNE	(Instream Ending Point)
	S24	NWNE	(Instream Ending Point)

SCANNED

JAN 28 2003

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

POINT OF DIVERSION (continued)

		NWSE	(Instream Beginning Point)
		NWSE	(Instream Ending Point)
	S25	SWSW	(Instream Beginning Point)
	S26	SENE	(Instream Ending Point)
	S27	SWNE	(Instream Beginning Point)
		SWSE	(Instream Beginning Point)
	S29	NWNW	(Instream Beginning Point)
	S32	NENW	(Instream Beginning Point)
	S33	SWSE	(Instream Beginning Point)
		SESE	(Instream Ending Point)
	S35	NENE	(Instream Ending Point)
		SWSW	(Instream Beginning Point)
		SWSW	(Instream Ending Point)
		SWSE	(Instream Beginning Point)
T05S	R02W S06	SWNE	(Instream Beginning Point)
	R03W S01	NENW	(Instream Ending Point)
		NESW	(Instream Beginning Point)
	S02	SWSW	(Instream Ending Point)
	S03	NENE	(Instream Ending Point)
	S04	NWNW	(Instream Beginning Point)
		NESE	(Instream Ending Point)
		SWSE	(Instream Beginning Point)
		SESE	(Instream Beginning Point)
	S09	SWSE	(Instream Beginning Point)
	S11	NWNW	(Instream Beginning Point)
	S12	SWNW	(Instream Ending Point)
	S14	NENE	(Instream Beginning Point)
		NENW	(Instream Ending Point)
		NWSE	(Instream Beginning Point)

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
Stockwater

PERIOD OF USE
01-01 TO 12-31

QUANTITY
0.02 CFS

PLACE OF USE:

Stockwater

Within Owyhee County

T03S	R03W	S32	NENE	SENE
		S33	SWNW	NWSE
T04S	R02W	S07	LOT 04 (SWSW)	
		S10	NWSE	
		S17	SWNW	NESW
			NWSW	SWSW
		S18	SWNE	SENE
			NENW	LOT 01 (NWNW)
			SENE	
		S19	SENE	
		S20	NWNE	NENW
			NWNW	SENE
			NESW	SESW
			SWSE	
		S29	NWNE	SENE
			NESE	SWSE
			SESE	
		S30	SWSW	SESW
			NESE	NWSE
			SWSE	
		S31	SENE	NESW
			LOT 04 (SWSW)	SESW
			NESE	NWSE
		S32	NWNE	NENW
			SWNW	SENE
	R03W	S08	SENE	NESE
			SESE	
		S12	NWSW	SWSW

RECEIVED

JAN 25 2001

Department of Water Resources

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

	LOT 04 (SESE)		
S13	LOT 01 (NENE)	LOT 02 (SENE)	
	NWNW	SWNW	
	NESW	NWSW	
	SESW	LOT 03 (NESE)	
	SWSE	LOT 04 (SESE)	
S14	NENW	NWNW	
	SWNW	NWSW	
	SESW		
S15	NENE	NWNE	
	SWNE	NESW	
	NWSW		
S18	SESE		
S19	NENE		
S20	NENE	NWNE	
	SWNE	SWNW	
	SESW	NESW	
	SWSW	SESW	
	NESE	SWSE	
	SESE		
S21	NENE	SWNE	
	SENE	NWNW	
	SWNW	SESW	
	NESW	NWSW	
	SWSW		
S22	NENE	NWSE	
S23	NENE	NWNE	
	NENW	SWNW	
	NWSW	SWSW	
S24	NWNE	NENW	
	NWNW	SESW	
	NWSE		
S25	SWNW	SWSW	
	SESW	SWSE	
	SESE		
S26	SENE	NWNW	
	SESW	NESE	
	SWSE	SESE	
S27	NENE	NWNE	
	SWNE	SWSE	
	SESE		
S28	NENE	SWNE	
	SENE	NESW	
	NWSW	NWSE	
S29	NWNW	SESW	
	NESE	NWSE	
	SWSE		
S32	NENW		
S33	NENW	NESW	
	LOT 07 (SESW)	NWSE	
	LOT 08 (SWSE)	LOT 09 (SESE)	
S35	SENE	NENW	
	LOT 01 (NWNW)	LOT 04 (SWSW)	
	NESE	SWSE	
	LOT 01 (SESE)		
T05S R02W S06	LOT 03 (NENW)	LOT 04 (NWNW)	
	SESW		
R03W S01	LOT 03 (NENW)		
	SESW	NWNW	
	NWSW	NESW	
S02	SWSW		
S03	NENE	SWNE	
	SENE	SWNW	
	SESW	NWSW	

SCANNED

JAN 28 2003

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

	NWSW	
S04 LOT 04 (NWNW)		NESE
LOT 07 (NWSE)		LOT 10 (SWSE)
S09 LOT 17 (SWSE)		SESE
S10	NENE	SWNE
	NESW	SWSW
	SESW	
S11	NWNW	
S12	NWSW	SWSW
S14	NENE	NENW
	SENW	NWSE

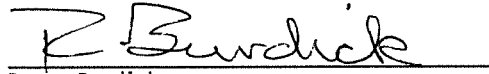
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS 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.


Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication