

1998 FEB 25 AM 8:40

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

) ORDER OF PARTIAL DECREE
)
)
)
)

For Water Right 57-10770A

On November 28, 1997, 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 57-10770A is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED February 25, 1998.



DANIEL C. HURLBUTT, JR.

Presiding Judge
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 57-10770A

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DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

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

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

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 04/01/1865

POINT OF DIVERSION:	T04S R02W S10	NESE	(INSTREAM BEGINNING POINT)	Within Owyhee County
	S17	SWSE	(INSTREAM BEGINNING POINT)	
	S29	SWNW	(INSTREAM BEGINNING POINT)	
	R03W S16	NWNW	(INSTREAM BEGINNING POINT)	
		SWNW	(INSTREAM BEGINNING POINT)	
		SWSW	(INSTREAM BEGINNING POINT)	
	S21	SESE	(INSTREAM BEGINNING POINT)	
	S24	NENE	(INSTREAM BEGINNING POINT)	
	S25	NWNW	(INSTREAM BEGINNING POINT)	
	S33	NENE	(INSTREAM BEGINNING POINT)	
	S34	NWSW	(INSTREAM BEGINNING POINT)	
	S36	NWNW	(INSTREAM BEGINNING POINT)	
	T05S R03W S01	SENE	(INSTREAM BEGINNING POINT)	
		NWNW	(INSTREAM BEGINNING POINT)	
		SWNW	(INSTREAM BEGINNING POINT)	
		NWSW	(INSTREAM BEGINNING POINT)	
	S11	SESW	(INSTREAM BEGINNING POINT)	
		NWSE	(INSTREAM BEGINNING POINT)	
	S12	NWNW	(INSTREAM BEGINNING POINT)	
	S35	SWSW	(INSTREAM BEGINNING POINT)	
	T04S R02W S10	SWSE	(INSTREAM ENDING POINT)	
	S11	SWNW	(INSTREAM ENDING POINT)	
	S19	NWNW	(INSTREAM ENDING POINT)	
	S29	NWNW	(INSTREAM ENDING POINT)	
	R03W S16	NESW	(INSTREAM ENDING POINT)	
		NESE	(INSTREAM ENDING POINT)	
		NWSE	(INSTREAM ENDING POINT)	
	S22	NESW	(INSTREAM ENDING POINT)	
	S24	SWSW	(INSTREAM ENDING POINT)	
	S34	NENW	(INSTREAM ENDING POINT)	
	S36	NWNW	(INSTREAM ENDING POINT)	
	T05S R03W S01	SWNE	(INSTREAM ENDING POINT)	
		NENW	(INSTREAM ENDING POINT)	
		NWNW	(INSTREAM ENDING POINT)	
		NWSW	(INSTREAM ENDING POINT)	
	S11	NENE	(INSTREAM ENDING POINT)	

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

PAGE
DEC-30

POINT OF DIVERSION: (CONT)

S12	SESW	(INSTREAM ENDING POINT)
S35	NWNW	(INSTREAM ENDING POINT)
	SESW	(INSTREAM ENDING POINT)

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

PERIOD OF USE
01-01 12-31

QUANTITY
0.02 CFS

PLACE OF USE:

STOCKWATER

Within OWYHEE County

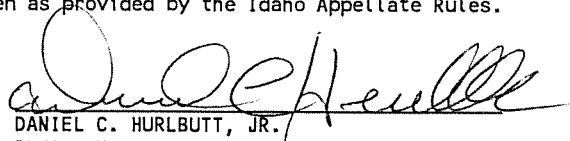
T04S R02W	S10	NESE	SWSE		
	S11	SWNW			
	S15	NENW	SWNW		
	S16	SENE	NESW	NWSW	SWSW
		SESW	NESE	NWSE	
	S17	SWSE	SESE		
	S19	SWNW			
	S29	NWNW	SWNW		
R03W	S16	SWNE	NENW	NWNW	NESW
		NWSW	SWSW	NESE	NWSE
	S21	SESE			
	S22	NESW	NWSW	SWSW	
	S24	NENE	SENE	SWSW	
	S25	NWNW			
	S33	NENE	NWNE	SENE	
	S34	NENW	NWNW	SWNW	SENW
		NWSW			
	S35	SESW			
	S36	NWNW			
T05S R03W	S01	SWSW			
	S02	SWNE	SENE	NWNW	SWNW
		NWSW			
	S11	NENE	SENE	SESW	NWSE
		SWSE	SESE		
	S12	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.


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

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CERTIFICATE OF MAILING

Water Right(s): 57-10770A

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 57-10770A was mailed
on February 25, 1998, 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
CALDWELL, ID 83605
Phone: 208-459-1541

DIANA DELANEY
Chief Deputy Clerk