

1998 NOV 20 PM 4:10

55-10334A
COUNTY OF TWIN FALLS, 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

) **ORDER OF PARTIAL DECREE**

Case No. 39576

) **For Water Right 55-10334A**
)
)
)

On July 16, 1998, 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 55-10334A is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED NOV 20 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 55-10334A

1998 NOV 20 PM 4:11

T-SRBA
TWIN FALLS, IDAHO
FILED

NAME AND ADDRESS: DARLENE SWISHER
2660 SWISHER LANE
JORDAN VALLEY, OR 97910-9806

SOURCE: CASTLE CREEK TRIBUTARY: DEEP CREEK
UNNAMED STREAMS CASTLE CREEK
JOBE CREEK CASTLE CREEK
SWISHER CREEK CASTLE CREEK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 06/01/1872

POINT OF DIVERSION: T11S R03W S20 NWNESW (Instream Beginning Point) Within Owyhee County
SWSWSW (Instream Beginning Point)
NENWSE (Instream Beginning Point)
NWSESE (Instream Beginning Point)
SENESEW (Instream Ending Point)
NENWSE (Instream Ending Point)
SWSWSE (Instream Ending Point)
S28 NESWNW (Instream Beginning Point)
NWSWSW (Instream Beginning Point)
SWNWSW (Instream Ending Point)
SESESEW (Instream Ending Point)
S29 NWSENE (Instream Beginning Point)
SWNWNW (Instream Beginning Point)
NENWNE (Instream Ending Point)
NESENE (Instream Ending Point)
NENESE (Instream Ending Point)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.02 CFS

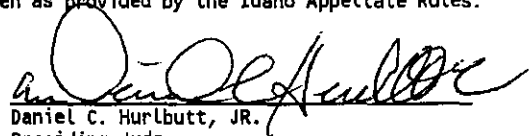
PLACE OF USE:	Stockwater	Within Owyhee County
	T11S R03W S20	SESW NWSE
		SWSE NESW
	S28	SWSW SESE
		SWNW NWSW
	S29	SWSW SESW
		NENE SENE
		NENW NWNW
		NESE NWNE

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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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): 55-10334A

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 55-10334A was mailed
on November 20, 1998, with sufficient first-class postage prepaid
to the following:

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

DARLENE SWISHER
2660 SWISHER LANE
JORDAN VALLEY, OR 97910-9806

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
11/20/98