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DEC 07 1998
Department of Water Resources
Adjudication Bureau

1998 DEC -2 PM 2:41
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 31-10655
_____	)	

On October 22, 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 31-10655 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED DEC 2 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 31-10655

1998 DEC -2 PM 2:41

FILED
CLERK OF DISTRICT COURT
IDAHO

NAME AND ADDRESS: BALL FARMS LTD PARTNERSHIP
CIRCLE B FARMS
C/O CARL BALL
2612 E 2300 N
HAMER, ID 83425

SOURCE: GROUNDWATER

QUANTITY: 0.12 CFS

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

PRIORITY DATE: 06/01/1940

POINT OF DIVERSION: T07N R36E S05 SWSWNE Within Jefferson County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 2 HOMES	01-01 TO 12-31	0.06 CFS
	Stockwater	01-01 TO 12-31	0.12 CFS

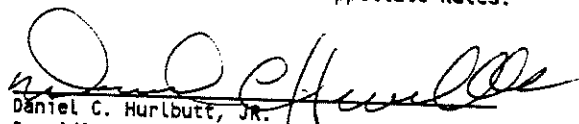
PLACE OF USE:	Stockwater		Within Jefferson County
	T07N R36E S05	SWNE	
	Domestic		Within Jefferson County
	T07N R36E S05	SWNE	

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

1998 DEC 02 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): 31-10655

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 31-10655 was mailed
on December 02, 1998, with sufficient first-class postage prepaid
to the following:

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

BALL FARMS LTD PARTNERSHIP
CIRCLE B FARMS
C/O CARL BALL
2612 E 2300 N
HAMER, ID 83425
Phone: 208-662-5436

CARL M. BALL
2612 EAST 2300 NORTH
HAMER, ID 83425
Phone: 208-754-4651

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

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12/02/98