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Department of Water Resources

2001 APR 30 AM 8:42

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

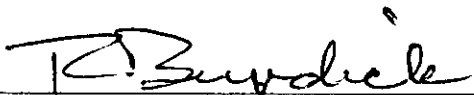
ORDER OF PARTIAL DECREE

For Water Rights 55-10288A, 55-10289A,
55-10290A, 55-10292A, 55-10293A, 55-10297A,
55-10299A, 55-10301A and 55-10303A

On April 22, 1999, a *Special Master's Report and Recommendation* was filed for the above water right. On April 10, 1999, Richard Harris, attorney for LU Ranching, filed a *Notice of Challenge*. Presiding Judge Barry Wood entered a *Memorandum Decision and Order on Challenge* denying the challenge to these subcases on April 25, 2000.

Therefore, IT IS ORDERED that water rights 55-10288A, 55-10289A, 55-10290A, 55-10292A, 55-10293A, 55-10297A, 55-10299A, 55-10301A and 55-10303A are hereby decreed as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED April 30, 2001.



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

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Department of Water Resources

CERTIFICATE OF MAILING

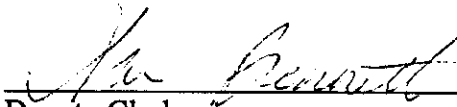
I certify that a true and correct copy of the **ORDER OF PARTIAL DECREE** and accompanying **PARTIAL DECREE** were mailed on April 30, 2001, via first-class mail to the following:

Idaho Department of Water Resources
Document Depository
PO Box 83720
Boise, ID 83720-0098

Richard L. Harris
PO Box 1438
1023 Arthur Street
Caldwell, ID 83606

United States Department of Justice
Environment & Natural Resources Division
550 W Fort Street, MSC 033
Boise, ID 83724

Craig A. Pridgen,
Mcquaid, Metzler, *et al*
221 Main St, 16th Floor
San Francisco, CA 94105



Deputy Clerk

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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
In Re SRBA

Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 55-10288A

2001 APR 30 AM 8:42

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: L U RANCHING
C/O WILLIAM A LOWRY
P O BOX 415
JORDAN VALLEY, OR 97910

SOURCE: LONE TREE CREEK TRIBUTARY: JORDAN CREEK
UNNAMED STREAMS LONE TREE CREEK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 05/20/1872

POINT OF DIVERSION: T08S R05W S05 NESW (Instream Beginning Point) Within Owyhee County
S07 SENE (Instream Beginning Point)
S08 NENE (Instream Beginning Point)
S09 LOT 03 (SENW) (Instream Beginning Point)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	06-15 TO 12-31	0.02 CFS

PLACE OF USE:	Stockwater		Within Owyhee County
	T07S R06W S36	SWNE	SWNW
		SENW	NESE
		NWSE	SESE
	T08S R05W S05	NESW	LOT 05 (SWSW)
	S06	NWSE	LOT 09 (SWSE)
	S07	NENE	SENE
	S08	NENE	NWNE
		SWNE	LOT 01 (SENE)
	LOT 05 (SENE)		NWNW
		SWNW	SENW
	S09 LOT 04 (SWNW)		LOT 05 (SWNW)
	LOT 03 (SENW)		

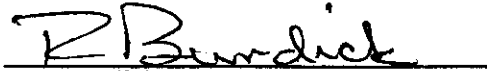
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

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.

A handwritten signature in black ink, appearing to read "R. Burdick", is written over a horizontal line.

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication