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Department of Water Resources  
Adjudication Bureau

1998 NOV 19 PM 4:20

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

) ORDER OF PARTIAL DECREE

Case No. 39576

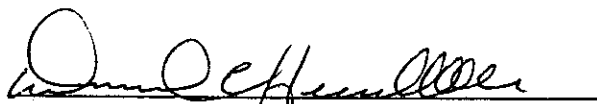
) For Water Right 55-10349

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 55-10349 is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED 11-19-98.



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

1998 NOV 19 PM 4:21

In Re SRBA )  
Case No. 39576 )  
\_\_\_\_\_ )

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 55-10349

DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
FILED

NAME AND ADDRESS: ROBERT C BRUCE  
PO BOX 94  
JORDAN VALLEY, OR 97910

SOURCE: IRON MINE CREEK  
HOWL CREEK  
COYOTE CREEK  
SOUTH MOUNTAIN CREEK

TRIBUTARY: RAIL CREEK  
SOUTH MOUNTAIN CREEK  
SOUTH MOUNTAIN CREEK  
BIG BOULDER CREEK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 11/06/1882

|                     |               |        |                            |                      |
|---------------------|---------------|--------|----------------------------|----------------------|
| POINT OF DIVERSION: | T07S R04W S18 | SESESE | (Instream Ending Point)    | Within Owyhee County |
|                     | S30           | NWSWNE | (Instream Ending Point)    |                      |
|                     | S31           | NWNENW | (Instream Beginning Point) |                      |
|                     | R05W S23      | SWNESW | (Instream Beginning Point) |                      |
|                     | S25           | NWNENW | (Instream Ending Point)    |                      |
|                     | S34           | SENWSE | (Instream Beginning Point) |                      |
|                     | S35           | SENWSE | (Instream Ending Point)    |                      |
|                     | T08S R05W S01 | NESENE | (Instream Beginning Point) |                      |
|                     |               | NWSENE | (Instream Beginning Point) |                      |
|                     |               | NWNENE | (Instream Ending Point)    | Within Owyhee County |
|                     |               | NWNWSW | (Instream Beginning Point) |                      |

|                               |                |                |          |
|-------------------------------|----------------|----------------|----------|
| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|                               | Stockwater     | 06-01 TO 10-15 | 0.02 CFS |

|               |               |      |                      |
|---------------|---------------|------|----------------------|
| PLACE OF USE: | Stockwater    |      | Within Owyhee County |
|               | T07S R04W S18 | SESE |                      |
|               | S19           | NENE | SENE                 |
|               |               | SENE | NESW                 |
|               | S30           | SESW | SWNE                 |
|               |               | SWNE | NENW                 |
|               |               | SWNW | SENE                 |
|               |               | NWSW | SESW                 |
|               | S31           | NESW |                      |
|               |               | NENW | SENE                 |
|               |               | NESW |                      |
|               | R05W S23      | SWNE | NENW                 |
|               |               | NESE | NWSE                 |
|               | S25           | SWSE |                      |
|               |               | NESE | NWSE                 |
|               | S26           | SWSE |                      |
|               |               | NWNE | NENW                 |
|               |               | SENE | NESW                 |
|               | S27           | NWSW |                      |
|               | S34           | SESE |                      |
|               |               | NWNE | NENW                 |
|               |               | SENE |                      |
|               | S35           | NWNW | SWNW                 |
|               | S36           | NENW |                      |
|               | T08S R05W S01 | NENE | NWNE                 |

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

PLACE OF USE (continued)

NENW  
NWNW

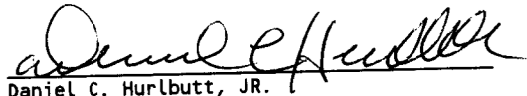
SWNW  
NWSW

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 NOV 19 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): 55-10349

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 55-10349 was mailed  
on November 19, 1998, with sufficient first-class postage prepaid  
to the following:

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

USDI BLM  
Represented by:  
US DEPARTMENT OF JUSTICE  
ENVIRONMENT & NATL' RESOURCES  
550 WEST FORT STREET, MSC 033  
BOISE, ID 83724  
Phone: 208-387-0835

ROBERT C BRUCE  
PO BOX 94  
JORDAN VALLEY, OR 97910  
Phone: 208-583-2441

DIANA DELANEY  
Chief Deputy Clerk

CERTIFICATE OF MAILING

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11/19/98