

1999 OCT -8 PM 1:50
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**

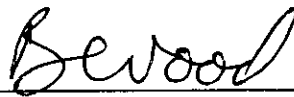
In Re SRBA	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right 55-10319A
_____	)	

On August 19, 1999, 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 55-10319A is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED October 8, 1999.



BARRY WOOD
Administrative District Judge and
Presiding Judge of the
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

Right Number 55-10319A

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NAME & ADDRESS:

PETAN COMPANY OF NEVADA INC.
TUSCARORA, NV. 89834

SOURCE:

UNNAMED STREAMS

TRIBUTARY:

JUNIPER CREEK

QUANTITY:

0.04 CFS
3600.00 AFY

USE OF THIS RIGHT WITH RIGHT NO. 55-10319B IS LIMITED TO A TOTAL COMBINED
ANNUAL VOLUME OF 26.8 AF FOR STOCKWATER FROM STORAGE.
USE OF THIS RIGHT WITH RIGHT NO. 55-02027 IS LIMITED TO A TOTAL COMBINED
ANNUAL VOLUME OF 775 AF FOR IRRIGATION FROM STORAGE.

FACILITY VOLUME 5000 AF.

PRIORITY DATE:

07/01/1923

POINT OF DIVERSION:

T16S R01W S04

SESW
SWSE

Within OWYHEE County

THE STORAGE OF WATER UNDER THIS RIGHT IS IN THE JUNIPER BASIN RESERVOIR LOCATED
IN:

T16S R01W S04	SESW	SWSE	SESE
S08	NESE	SESE	
S09	NENE	NWNE	SWNE
	SENE	NENW	NWNW
	SWNW	SENW	NESW
	NWSW	SWSW	SESW
	NESE	NWSE	
S10	NWNW	SWNW	NWSW
S16	NENW	NWNW	SWNW
	NWSW	SWSW	
S17	NENE	SWNE	SENE
	NESW	SWSW	SESW
	NESE	NWSE	SWSE
	SESE		
S20	NENE	NENW	NWNW
S21	NWNW		

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION STORAGE	01-01 TO 12-31	3200.00 AFY
STOCKWATER STORAGE	01-01 TO 12-31	400.00 AFY
STOCKWATER FROM STORAGE	01-01 TO 12-31	26.80 AFY
STOCKWATER	01-01 TO 12-31	.04 CFS
IRRIGATION FROM STORAGE	04-01 TO 10-31	775.00 AFY

PLACE OF USE:

IRRIGATION FROM STORAGE

Within OWYHEE County

T15S R01W S32	NENE 14	NWNE 35
	SWNE 35	SENE 30
	NESE 32	NWSE 9

155 Acres Total

SRBA PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
FOR WATER RIGHT 55-10319A
G:\55MRR\10319A.REC

USE OF THIS RIGHT WITH RIGHT NO. 55-02027 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 155 ACRES IN A SINGLE IRRIGATION SEASON.

STOCKWATER		Within Owyhee County
T16S R01W S16	NENW	NWNW
	SWNW	NWSW
	SWSW	
STOCKWATER FROM STORAGE		
T15S R01W S32	NENE	NWNE
	SWNE	SENE
	NESE	NWSE
T16S R01W S16	NENW	NWNW
	SWNW	NWSW
	SWSW	

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

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

THE FOLLOWING WATER RIGHT FROM THE FOLLOWING SOURCE OF WATER IN BASIN 55 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 55:

WATER RIGHT NO.	SOURCE
NONE	NONE

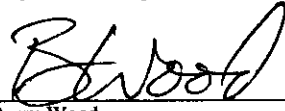
THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER IN BASIN 55 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 55 ARE FROM CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.

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 appeal may be taken as provided by the Idaho Appellate Rules.


Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

1999 OCT 12 PM 02:00
DISTRICT COURT - SRBA
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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): 55-10319A

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 55-10319A was mailed
on October 12, 1999, with sufficient first-class postage prepaid
to the following:

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

PETAN COMPANY OF NEVADA INC.
Represented by:
CHARLES L. HONSINGER
P O BOX 2773
BOISE, ID 83701-2773
Phone: 208-342-4591

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

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10/08/99