

1999 MAR 26 AM 9: 24

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

**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 55-10243
_____	)	

On February 22, 1999, an *Amended Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Amended 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* issued January 12, 1999, and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 55-10243 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED MAR 26 1999.



BARRY WOOD
Administrative District Judge
Interim 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

1999 MAR 26 AM 9:24

In Re SRBA)
Case No. 39576)
_____)

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

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

Water Right 55-10243

FILED _____

NAME AND ADDRESS: MILLER LAND CO INC
2124C HWY 45
MELBA, ID 83641

SOURCE: ROCK CREEK TRIBUTARY: NORTH BOULDER CREEK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 05/20/1871

POINT OF DIVERSION: T07S R03W S15 SESESE (Instream Beginning Point) Within Owyhee County
SWSWSE (Instream Ending Point)
S16 SESWSW (Instream Beginning Point)
SESESE (Instream Beginning Point)
SWSWSE (Instream Beginning Point)
NWSWSW (Instream Ending Point)
SWSWSE (Instream Ending Point)
SESESW (Instream Ending Point)
S23 SESWSW (Instream Beginning Point)
NWNWNW (Instream Ending Point)
R04W S12 NESESW (Instream Beginning Point)
NWSWSE (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
T07S R03W S15 SWSE SESE
S16 SWSW SESW
NESE SWSE
SESE
S23 NWNW SWNW
NWSW NENW
SWSW
R04W S12 SESW

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.

1999 MAR 29 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	)	CERTIFICATE OF MAILING
	)	
Case No. 39576	)	
_____	)	Water Right(s): 55-10243

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 55-10243 was mailed
on March 29, 1999, with sufficient first-class postage prepaid
to the following:

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

MILLER LAND CO INC
Represented by:
RICHARD L. HARRIS
PO BOX 1438
1023 ARTHUR STREET
CALDWELL, ID 83606
Phone: 208-459-1588

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

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

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