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Department of Water Resources

1999 JUN 28 AM 10:13

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

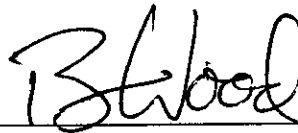
For Water Right 55-10219

On April 12, 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 55-10219 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED JUN 28 1999



BARRY WOOD
Administrative District Judge
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

Water Right 55-10219

1999 JUN 28 AM 10:13

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME AND ADDRESS: HERB ISERNHAGEN
MARIE ISERNHAGEN
HC 81
JORDAN VALLEY, OR 97910

SOURCE: COW CREEK TRIBUTARY: MAHOGANY CREEK

QUANTITY: 4.80 CFS
853.00 AFY

USE OF THIS RIGHT WITH RIGHT NO. 55-07228 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 5.88 CFS.
THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 09/01/1896

POINT OF DIVERSION: T04S R05W S04 NESWSW Within Owyhee County
S07 NESENE
SWSWNE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	4.80 CFS 853.00 AFY
	Stockwater	01-01 TO 12-31	0.22 CFS 13.40 AFY

PLACE OF USE: Irrigation Within Owyhee County

T04S R05W S05	SWSE 6.0	
S06 LOT 06 (NWSW)	36.0	LOT 07 (SWSW) 32.0
SESW	30.0	
S07	NENW 37.0	LOT 01 (NWNW) 7.0
	SENE 9.0	SENE 11.0
	NWNE 18.0	SWNE 34.0
S08	NENW 27.0	SENE 2.0
	SWNW 11.0	NWNE 8.0
268.0 Acres Total		

Stockwater Same as Other Use

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 240 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 55-07228

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 240 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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 "B. Wood", is written over a horizontal line.

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

1999 JUN 28 PM 02:00
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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
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In Re SRBA)
)
Case No. 39576)
_____)_____

CERTIFICATE OF MAILING

Water Right(s): 55-10219

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 55-10219 was mailed
on June 28, 1999, 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

HERB ISERNHAGEN
MARIE ISERNHAGEN
HC 81
JORDAN VALLEY, OR 97910
Phone: 208-583-4170

DIANA DELANEY
Chief Deputy Clerk