

1999 MAR 26 AM 9:28

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 )  
Case No. 39576 )  
\_\_\_\_\_ )  
ORDER OF PARTIAL DECREE  
For Water Right 55-04124

On February 8, 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 55-04124 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

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

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 55-04124

1999 MAR 26 AM 9:28

DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO

FILED \_\_\_\_\_

NAME AND ADDRESS: DONNA M BENNETT  
GEORGE L BENNETT  
HC 85 BOX 271  
GRAND VIEW, ID 83624

SOURCE: UNNAMED STREAM TRIBUTARY: HURRY BACK CREEK

QUANTITY: 18.30 AFY  
STORAGE CAPACITY 25 AF.

PRIORITY DATE: 01/01/1933

POINT OF DIVERSION: T09S R02W S31 SWSESE (Rediversion) Within Owyhee County  
SESE

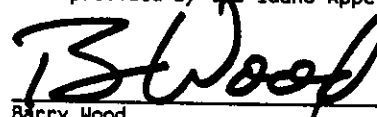
PURPOSE AND  
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY  
Irrigation Storage 01-01 TO 12-31 18.30 AFY  
Irrigation from Storage 04-01 TO 10-31 18.30 AFY

PLACE OF USE: Irrigation Storage Within Owyhee County  
T09S R02W S31 SWNW  
NESH SENW  
NWSW  
Irrigation from Storage Within Owyhee County  
T09S R02W S31 SWNW 7.0  
NWSW 1.0 NESW 19.0  
27.0 Acres Total

USE OF THIS RIGHT WITH RIGHT NO. 55-02116 IS LIMITED TO THE  
IRRIGATION OF A COMBINED TOTAL OF 27 ACRES 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.

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

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 )  
 )  
Case No. 39576 )  
\_\_\_\_\_ )

CERTIFICATE OF MAILING

Water Right(s): 55-04124

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 55-04124 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

USDI BLM

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

DONNA M BENNETT  
GEORGE L BENNETT  
HC 85 BOX 271  
GRAND VIEW, ID 83624  
Phone: 208-834-2398

DIANA DELANEY  
Chief Deputy Clerk

CERTIFICATE OF MAILING

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03/26/99