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JUN 30 1999

Department of Water Resources

1999 JUN 28 PM 12: 05

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 55-04063

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 55-04063 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 55-04063

1999 JUN 28 PM 12:05

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME AND ADDRESS: TESTAMENTARY FAMILY BYPASS TRU
DALE L BERRETT, TRUSTEE
1280 KLAMATH AVENUE
NYSSA, OR 97913

TESTAMENTARY FAMILY BYPASS TRU
OWEN ORSON BERRETT, TRUSTEE
1280 KLAMATH AVENUE
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TESTAMENTARY FAMILY BYPASS TRU
RETA MAY HANSEN, TRUSTEE
1280 KLAMATH AVENUE
NYSSA, OR 97913

RUTH B BERRETT
1280 KLAMATH AVE
NYSSA, OR 97913

SOURCE: WILLIAMS CREEK TRIBUTARY: JORDAN CREEK

QUANTITY: 2.82 CFS

PRIORITY DATE: 04/06/1867

POINT OF DIVERSION: T07S R05W S15 SENWNW Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	2.82 CFS

PLACE OF USE:	Irrigation	Within Owyhee County
	T07S R05W S09	
	SWNE 13.0	SENW 11.0
	NESW 25.0	SESW 13.0
	NWSE 38.0	SWSE 23.0
	SESE 18.0	
	141.0 Acres Total	

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 JUN 28 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): 55-04063

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 55-04063 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

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CERTIFICATE OF MAILING

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06/28/99

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DIANA DELANEY
Chief Deputy Clerk