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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 55-04036

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 55-04036 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

1999 JUN 28 PM 12: 05

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 55-04036

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME AND ADDRESS: GRACE MORGAN
WALTER E MORGAN
JORDAN VALLEY, OR 97910

SOURCE: JORDAN CREEK TRIBUTARY: OWYHEE RIVER

QUANTITY: 5.60 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 0.20 CFS FOR THE LAND LOCATED IN
T06S, R05W, S29, SENW. COMBINED RIGHT NOS.: 55-04034 & 55-04035

PRIORITY DATE: 06/01/1884

POINT OF DIVERSION: T06S R05W S28 SWNWNE Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	5.46 CFS
	Stockwater	01-01 TO 12-31	0.14 CFS

PLACE OF USE:	Irrigation		Within Owyhee County
	T06S R05W S19	SESE 24.0	SWSE 2.0
	S20	SWSW 22.0	SESW 1.0
	S28	NENW 8.0	SWNE 12.0
		SWNW 33.0	SENW 18.0
		NESW 18.0	NWSW 11.0
		NWNW 3.0	NWSE 4.0
	S29	NENE 11.0	SWNE 6.0
		SENE 28.0	NENW 16.0
		NWNW 20.0	SENW 10.0
		NWNE 15.0	NESE 2.0
	S30	NENE 9.0	
	273.0 Acres Total		

Stockwater Same as Other Use

THE USE OF WATER FOR IRRIGATION AND STOCKWATER PURPOSES DOES
NOT INCLUDE A USE ON FEDERAL PUBLIC LAND.

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)
)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 55-04036

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 55-04036 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

GRACE MORGAN
WALTER E MORGAN
JORDAN VALLEY, OR 97910
Phone: 208-583-2366

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

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06/28/99