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JUN 30 1999

Department of Water Resources

1999 JUN 28 PM 12: 03

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

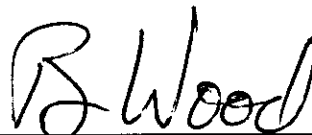
For Water Right 55-04016

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 55-04016 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 55-04016

1999 JUN 28 PM 12:03
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

NAME AND ADDRESS: DOUGLAS A BURGESS
JANICE K BURGESS
2050 OLD HWY 95
JORDAN VALLEY, OR 97910

SOURCE: COW CREEK TRIBUTARY: MAHOGANY CREEK

QUANTITY: 6.37 CFS

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

PRIORITY DATE: 04/15/1865

POINT OF DIVERSION: T03S R06W S27 LOT 04 (NESESE) Within Owyhee County
S36 SESWSW
T04S R06W S01 LOT 03 (NWNENW)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	6.32 CFS
	Stockwater	01-01 TO 12-31	0.05 CFS

PLACE OF USE:	Irrigation	Within Owyhee County
	T03S R06W S26	SESW 21.0
		SWSW 26.0
		SWSE 23.0
	S27 LOT 04 (SESE)	3.0
	S35	NENE 11.0
		SWNE 10.0
		SENE 21.0
		NENE 15.0
	S36	SWNW 1.0
		NWSW 18.0
		SESW 9.0
	204.0 Acres Total	

Stockwater Same as Other Use

PLACE OF USE INCLUDES THE IRRIGATION OF 111.9 ACRES WITHIN THE
STATE OF OREGON.

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) : 55-04016

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 55-04016 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

DOUGLAS A BURGESS
JANICE K BURGESS
2050 OLD HWY 95
JORDAN VALLEY, OR 97910
Phone: 503-586-2252

DIANA DELANEY
Chief Deputy Clerk