

1999 MAR 26 AM 9:27

DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE ~~STATE OF IDAHO~~  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

|                |   |                          |
|----------------|---|--------------------------|
| In Re SRBA     | ) | ORDER OF PARTIAL DECREE  |
|                | ) |                          |
| Case No. 39576 | ) | For Water Right 55-04012 |
| _____          | ) |                          |

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 55-04012 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 55-04012

1999 MAR 26 AM 9:27

DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO

FILED \_\_\_\_\_

NAME AND ADDRESS: ELEANOR L SMITH  
1017 N 28TH  
BOISE, ID 83702

SOURCE: LONG GULCH TRIBUTARY: JORDAN CREEK

QUANTITY: 0.11 CFS  
15.00 AFY

PRIORITY DATE: 05/01/1931

POINT OF DIVERSION: T05S R04W S12 NESE Within Owyhee County

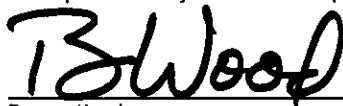
| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE      | PERIOD OF USE  | QUANTITY  |
|-------------------------------|---------------------|----------------|-----------|
|                               | Mining              | 05-01 TO 11-15 | 0.11 CFS  |
|                               | Mining Storage      | 05-01 TO 11-15 | 15.00 AFY |
|                               | Mining from Storage | 05-01 TO 11-15 | 15.00 AFY |

MINING USE FOR PLACER MINING AND EXPLORATORY PURPOSES

|               |                     |                      |
|---------------|---------------------|----------------------|
| PLACE OF USE: | Mining              | Within Owyhee County |
|               | T05S R04W S12       | NESE                 |
|               | Mining Storage      | Same as Other Use    |
|               | Mining from Storage | Same as Other Use    |

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): 55-04012

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 55-04012 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

KINROSS DE LAMAR MINING CO  
RUSSELL DITTRICH, GENERAL MGR  
PO BOX 52  
JORDAN VALLEY, OR 97910  
Phone: 208-583-2511

ELEANOR L SMITH  
1017 N 28TH  
BOISE, ID 83702

DIANA DELANEY  
\_\_\_\_\_  
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1  
03/26/99