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JUN 30 1999

Department of Water Resources

1999 JUN 28 PM 12: 02

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

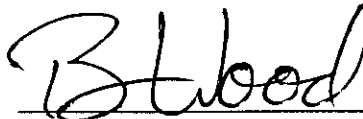
For Water Right 55-02125

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 55-02125 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 55-02125

1999 JUN 28 PM 12: 02

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

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

SOURCE: COMBINATION CREEK TRIBUTARY: NORTH BOULDER CREEK

QUANTITY: 1.70 CFS

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

PRIORITY DATE: 05/13/1925

POINT OF DIVERSION: T07S R04W S36 NWNWSW Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.66 CFS
	Domestic 1 HOME	01-01 TO 12-31	0.04 CFS

PLACE OF USE:	Irrigation		Within Owyhee County
	T07S R04W S23	SESW 9.0	SWSE 1.0
	S26	NENE 20.0	NWNE 23.0
		SWNE 12.0	SENE 18.0
	83.0 Acres Total		

Domestic		Within Owyhee County
T07S R04W S23	NESW	

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF
WATER IN BASIN 55 SHALL BE ADMINISTERED SEPARATELY FROM ALL
OTHER WATER RIGHTS IN BASIN 55:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 55 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN THE SNAKE RIVER BASIN:

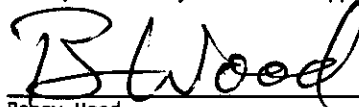
WATER RIGHT NO.	SOURCE
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 55 ARE FROM CONNECTED SOURCES OF
WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
CONJUNCTIVELY.

THE REMAINDER OF THIS RIGHT HAS BEEN FORFEITED DUE TO NON-USE
DURING THE PERIOD OF 1987 TO 1996.

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.

A handwritten signature in black ink, appearing to read "B. Wood", is written over a horizontal line.

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): 55-02125

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 55-02125 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