

1997 NOV 26 PM 2:40

DISTRICT COURT-5TH JUDICIAL DISTRICT
TWIN FALLS COUNTY, 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	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right 57-10608
_____	)	

On August 19, 1997, 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 57-10608 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED November 26, 1997.


DANIEL C. HURLBUTT, JR.
Presiding Judge
Snake River Basin Adjudication

DEC 01 1997

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

Department of Water Resources

In Re SRBA)
)
Case No. 39576)
_____)PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 57-10608

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DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____NAME & ADDRESS: ROBERT A THOMAS
KELLY A THOMAS
BEN A THOMAS JR
LINDA K FERRIS
HC 79 BOX 2060
MURPHY ID 83650SOURCE: CASTLE CREEK, NORTH FORK TRIBUTARY: CASTLE CREEK
GILMORE CREEK CASTLE CREEK, NORTH FORK
UNNAMED STREAM CASTLE CREEK, NORTH FORK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 05/16/1923

POINT OF DIVERSION: T06S R02W S22 NESW Within Owyhee County
SESW
NWSENE (INSTREAM BEGINNING POINT)
S28 NWNENE (INSTREAM BEGINNING POINT)
T07S R02W S10 SENWNW (INSTREAM ENDING POINT)PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
STOCKWATER 01-01 12-31 0.02 CFSPLACE OF USE: STOCKWATER Within Owyhee County
T06S R02W S22 SENE NESW SESW NESE
NWSE SWSE
S27 NENW NWNW SENW NESW
SESW
S28 NENE
S34 NENW SENW NESW
T07S R02W S03 Lot 4 (NWNW) SWNW NWSW SWSW
S10 NWNW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.
DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

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.



DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication