

1998 FEB 25 AM 8:41

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	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right 57-10488
_____	)	

On August 22, 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 57-10488 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED February 25, 1998.


DANIEL C. HURLBUTT, JR.
Presiding Judge
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

FILED 1997 JAN 25 AM 8:41

In Re SRBA)
)
Case No. 39576)
)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

Water Right 57-10488

FILED

NAME & ADDRESS: JOYCE LIVESTOCK CO
C/O PAUL NETTLETON
MURPHY ID 83650

SOURCE: GROUNDWATER

QUANTITY: 5.2 CFS

WHEN ANY PORTION OF THIS RIGHT OR THE RIGHTS LISTED BELOW IS
DIVERTED THROUGH MURPHY MUTUAL CANAL (MMC) FOR USE OUTSIDE THE
SINKER CREEK DRAINAGE (LANDS IRRIGATED WITH WATER THAT FLOWS
THROUGH MMC BEYOND THE NE1/4 OF S25, T03S, R02W), THEN USE OF
THIS RIGHT WITH SINKER CREEK RIGHTS 57-00001A, 57-00002,
57-00173, 57-00174, 57-00176, 57-00180A, 57-10428 AND 57-10922
AND WITH GROUNDWATER RIGHT 57-02293 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 28.6 CFS FROM ALL POINTS OF DIVERSION.
USE OF THIS RIGHT WITH RIGHT NO. 57-02293 IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 3645.0 AF.

PRIORITY DATE: 03/15/1963

POINT OF DIVERSION: T04S R02W S02 SESE Within Owyhee County

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION Irrigation Season 5.2 CFS

PLACE OF USE:	IRRIGATION	Within Owyhee County				
	T03S R01W S16	NENE 35	NWNE 38	SWNE 1	NENW 40	
		NWNW 40	SWNW 40	SENE 28	NWSW 25	
	S17	NESE 40				
	S18	SESW 24				
	S19	NWNE 1	SWNE 11	NENW 38	Lot 1 (NWNW)28	
	Lot 2	(SWNW)25	SENE 30	NESW 18	Lot 3 (NWSW)12	
		SESW 3	NWSE 1	SWSE 1		
	S30	NWNE 5	NENW 11	Lot 2 (SWNW) 1	SENE 10	
		SESW 3	NESE 10	NWSE 10	SWSE 24	
		SESE 7				
	S31	NENW 10	Lot 2 (SWNW)15	SENE 27	Lot 3 (NWSW)25	
	R02W S36	SENE 1	NESE 20	SWSE 6	SESE 30	
	T04S R02W S01	Lot 2 (NWNE)12	Lot 3 (NENW) 3	SENE 15	NESW 8	
		NWSW 22	SWSW 15			
	S02	SWSE 8	SESE 28			
	S11	NENE 1	NWNE 4			
	810 ACRES TOTAL					

WHEN ANY PORTION OF THIS RIGHT OR THE SINKER CREEK RIGHTS
LISTED ABOVE IS DIVERTED THROUGH MURPHY MUTUAL CANAL (MMC) FOR
USE OUTSIDE THE SINKER CREEK DRAINAGE (LANDS IRRIGATED WITH WATER
THAT FLOWS THROUGH MMC BEYOND THE NE1/4 OF S25, T03S, R02W), THEN
USE OF THIS RIGHT WITH THE RIGHTS LISTED ABOVE IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 810 ACRES IN A SINGLE SEASON.

CONSUMPTIVE USE:

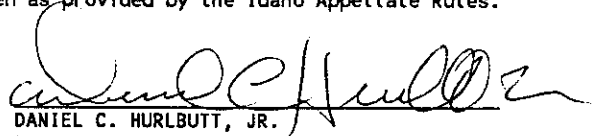
WHEN ANY PORTION OF THIS RIGHT OR THE RIGHTS LISTED ABOVE IS
DIVERTED THROUGH MURPHY MUTUAL CANAL (MMC) FOR USE OUTSIDE THE
SINKER CREEK DRAINAGE (LANDS IRRIGATED WITH WATER THAT FLOWS
THROUGH MMC BEYOND THE NE1/4 OF S25, T03S, R02W), THEN USE OF
THIS RIGHT WITH ANY OF THE RIGHTS LISTED ABOVE IS LIMITED TO A
TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 2835 AF.

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 57-10488

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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

1998 FEB 25 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): 57-10488

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 57-10488 was mailed
on February 25, 1998, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

STATE OF IDAHO
Represented by:
CLIVE STRONG
OFFICE OF ATTORNEY GENERAL
STATE OF IDAHO
PO BOX 44449
BOISE, ID 83711-4449
Phone: 208-334-2400

JOYCE LIVESTOCK
Represented by:
RICHARD L. HARRIS
PO BOX 1438
CALDWELL, ID 83605
Phone: 208-459-1541

CERTIFICATE OF MAILING

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02/25/98