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Department of Water Resources

2002 MAR 28 PM 04:38
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 SETTING HEARING
	)	
Case No. 39576	)	
_____	)	SUBCASE NO: 63-21311

Please be advised that Special Master THOMAS R CUSHMAN
has set for hearing the MOTION TO SET ASIDE PARTIAL DECREE.

WEDNESDAY, MAY 01, 2002 at 02:00 PM

OWYHEE COUNTY COURTHOUSE
HIGHWAY 78
PO BOX 128
MURPHY, ID

IT IS SO ORDERED.

Dated: MARCH 28, 2002

/S/ THOMAS R CUSHMAN
Special Master
Snake River Basin Adjudication

ROD ST CLAIR
1224 S ROBINSON RD
NAMPA, ID 83687

(2)

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the ORDER SETTING HEARING was mailed on MARCH 28, 2002, with sufficient first-class postage to the following:

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

ROD ST CLAIR
1224 S ROBINSON RD
NAMPA, ID 83687
Phone: 208-466-8773

Clinton Pline
6805 Lake Hazel Rd
Nampa, Idaho 83687



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

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APR 19 2002

April 10, 2002

Rod St. Clair
1224 S. Robinson Rd.
Nampa, ID 83687

Department of Water Resources

Re: Snake River Basin Adjudication (SRBA)
Subcase No. 63-21311

Dear Mr. St. Clair:

Please find enclosed a Standard Form 5/Amended Claim form for your water right, No. 63-21311. This document is a standard settlement agreement form used in the SRBA Court to both amend water right claims and resolve objections. Attached to it is the description (recommendation) of your water right showing the changes made based upon my re-investigation of your water right. (It appears the initial claim was in error, and the error was not corrected during the original investigation.)

Please review this document carefully. If the information contained in the Standard Form 5/Amended Claim form meets with your approval, please sign the first page where indicated, initial the recommendation print-out (the second page) and follow the instructions on the Certificate of Mailing page for filing the document with the SRBA Court. Be sure to keep a copy of the signed document for your records.

Because the court has set this subcase for another hearing on May 1, 2002, your prompt consideration in this matter would be greatly appreciated. **You are required to be at the hearing if this matter is not resolved.** Should you have any questions, please don't hesitate to contact me at 208-327-7925. Thank you for your cooperation.

Sincerely yours,

Roxanne Brown
Sr. Water Resource Agent
Idaho Dept. of Water Resources

Enclosure (1)

APR 19 2002

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

))))))))

Case No. 39576

For Domestic and Stockwater Rights

The parties and IDWR agree and stipulate that the elements of this water right should be decreed as described per the attached Amended Claim. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

IDWR CONCURRENCE:

Roxanne Brown 4/10/03
Roxanne Brown date
Sr. Water Resource Agent
Idaho Dept. of Water Resources

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Department of Water Resources

03/18/2002

IDAHO DEPARTMENT OF WATER RESOURCES
AMENDED RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-21311

NAME AND ADDRESS: ROD ST CLAIR
1224 S ROBINSON RD
NAMPA ID 83687

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.16 CFS

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

PRIORITY DATE: 01/01/1900

POINT OF DIVERSION:

T03N R01W S32 ~~SENW~~ SWNW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	1/01 12/31	0.040 CFS
STOCKWATER	1/01 12/31	0.120 CFS

PLACE OF USE: DOMESTIC Within CANYON County

T03N R01W S32 ~~SENW~~ SWNW

STOCKWATER Within CANYON County

T03N R01W S32 ~~SENW~~ SWNW

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.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

STOCKWATER, 500 RANGE CATTLE ~~PARCEL NO. 9R-03N01W322600~~

CERTIFICATE OF MAILING

I certify that on 4-17-02, 2002, I delivered the original and copies of this form to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ overnight mail
☒ regular mail
☐ hand-delivered
☒ facsimile 4-17-02 4:10 pm

2. Copies to:

Clive Strong
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

- IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

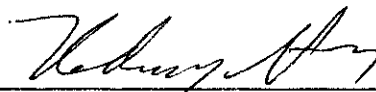
3. Copies to all parties to the subcase:

Rod St. Clair
1224 S. Robinson Rd.
Nampa, ID 83687

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

Dale Pline
6805 Lake Hazel Rd
Nampa, Id 83653

☐ overnight mail
☐ regular mail
☐ hand-delivered
☐ facsimile



Signature of person mailing this document