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Department of Water Resources

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CLERK OF DISTRICT COURT
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

) 47-16744
) (WSGA)
) ORDER GRANTING JOINT MOTION
) TO CORRECT CLERICAL ERRORS
) and SUPPLEMENTAL AMENDED
) SPECIAL MASTER REPORT

Findings of Fact

A *Special Master Report and Recommendations* was entered on June 25, 2003, in subcases 47-12383, *et al.* The *Report* covered 12 claims recommended to the Western Stock Growers Association (WSGA), including 47-16744.

On July 25, 2003, claimant the WSGA and objector the United States of America, Department of Agriculture, Forest Service filed a *Joint Motion to Correct Clerical Errors*. The *Joint Motion* stated that there was a clerical error in the place of use legal description in subcase 43-16744. The attached *Supplemental Amended Special Master Recommendation for Partial Decree for Water Right 47-16744* corrects the error.

Order

The parties have shown good cause to have the *Special Master Report and Recommendation* for 47-16744 amended to correct the clerical error.

THEREFORE, IT IS ORDERED that the *Joint Motion to Correct Clerical Errors* is granted.

Conclusions of Law

The WSGA is entitled to a partial decree adjudicating a water right as described in the attached *Supplemental Amended Special Master Recommendation for Partial Decree for Water Right 47-16744*.

DATED August 8, 2003.



TERRENCE A. DOLAN
Special Master
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

AMENDED

2003 AUG -8 PM 4:29

In Re SRBA)
)
Case No. 39576)
_____)

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

Water Right 47-16744

DISTRICT CLERK-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: WESTERN STOCK GROWERS
ASSOCIATION
2391 ROCK CREEK RD
HANSEN, ID 83334

SOURCE: POLE CAMP CREEK TRIBUTARY: SHOSHONE CREEK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 06/01/1872

POINT OF DIVERSION:	T14S R17E S12	SESE	(Instream Beginning Point) Within Twin Falls County
		SESE	(Instream Ending Point)
	R18E S05	NWNW	(Instream Beginning Point)
		NWNW	(Instream Ending Point)
	S06	SENE	(Instream Beginning Point)
		SENE	(Instream Ending Point)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	05-15 TO 10-15	0.02 CFS

PLACE OF USE:	Stockwater	Within Twin Falls County
	T14S R17E S12	SESE
	R18E S05	NWNW
	S06	SENE

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

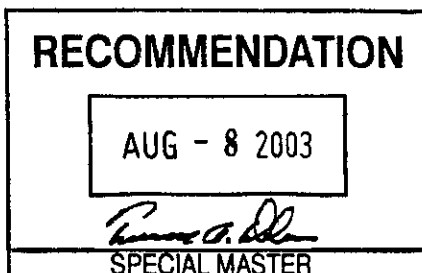
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

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. I.C. SECTION 42-1412(6).

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.

Supplemental Amended



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

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STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s): 47-16744

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on August 08, 2003, with sufficient first-class postage prepaid to the following:

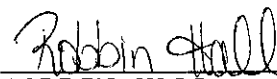
DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

WESTERN STOCK GROWERS ASSOCIAT
WESTERN STOCKGROWERS ASSN

Represented by:
NORMAN M. SEMANKO
ATTORNEY AT LAW
205 N 10TH ST, STE 530
BOISE, ID 83702
Phone: 208-344-6690

USDA FOREST SERVICE
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

CERTIFICATE OF MAILING


ROBBIN HALL
Deputy Clerk

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08/08/03

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DISTRICT
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In Re SRBA)
Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

Water Right(s): 47-16744

On August 08, 2003, Special Master TERRENCE A. DOLAN issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED August 08, 2003.

Robbin Hall
ROBBIN HALL
Deputy Clerk