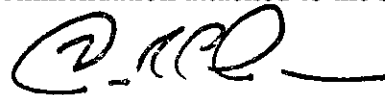


**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA	)	AMENDED SPECIAL MASTER'S
	)	REPORT
Case No. 39576	)	
	)	FOR WATER RIGHT 72-10033

A *Special Master's Report and Recommendation* was issued on December 1, 1999. A *Partial Decree* was issued on February 10, 2000. On September 11, 2001, a *Motion to Set Aside Partial Decree* and a *Motion to Amend Claim* were filed by Robin Wegner. On December 20, 2001, an *Order Granting Motion to Set Aside Partial Decree; Order Requesting Director's Report for Water Right 72-10033; Order of Recommitment to Special Master Cushman* was issued. Subsequently, an *Amended Director's Report* was filed on March 8, 2002. An *Amended Special Master's Report and Recommendation* was issued on May 23, 2003. The *Special Master's Report* stated that the *Amended Director's Report* resulted in a reduction of quantity. It should have stated that there was an increase in quantity. The recommendation attached to the report was correct.

DATED January 22, 2004.



THOMAS R. CUSHMAN
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

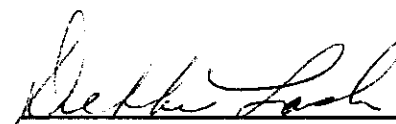
I certify that a true and correct copy of the AMENDED SPECIAL MASTER'S REPORT was mailed January 22, 2004, with sufficient first-class postage to the following:

Director of IDWR
P O Box 83720
Boise, Idaho 83720-0098

Robin J Wegner
HC 63 Box 1576
Challis, Idaho 83226

Patrick D Brown
P O Box 207
Twin Falls, Idaho 83303-0207

United States Department of Justice
550 West Fort Street, MSC 033
Boise, Idaho 83724


Deputy Clerk

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 72-10033

2004 JAN 22 PM 3:27
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: ROBIN J WEGNER
HC 63 BOX 1576
CHALLIS, ID 83226

SOURCE: EDDY CREEK TRIBUTARY: CHALLIS CREEK

QUANTITY: 0.90 CFS

PRIORITY DATE: 10/10/1911

POINT OF DIVERSION: T14N R18E S02 LOT 4 (SWNWNW) Within Custer County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.90 CFS

PLACE OF USE: Irrigation Within Custer County
T14N R18E S02 SWNW 3.0
3.0 Acres Total

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

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.

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

