

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

2004 JAN 29 PM 4 34

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 AMENDED PARTIAL DECREE
	)	TO CORRECT CLERICAL ERRORS; I.R.C.P.
	)	60(a)
Case No. 39576	)	
	)	For Water Right 61-07330

On March 3, 2003, a *Partial Decree* was issued for the above-captioned water right. On September 17, 2003, the Court was notified about possible clerical errors in this *Partial Decree*. After reviewing the *Notice of Completed Administrative Proceeding* filed with the Court on September 19, 2002, contained in the subcase file, the Court determined there were clerical errors made in describing the Place of Use element in the *Partial Decree*, to wit: The Source element was omitted.

Therefore, IT IS ORDERED that water right 61-07330 is hereby **decree**d as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b)*. The previously issued *Partial Decree* is replaced and superseded thereby.

DATED January 29, 2004.



JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

DISTRICT COURT - SRBA
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS
AMENDED **FILED** **2004 JAN 29 PM 4 34**

In Re SRBA)
)
Case No. 39576)
)

PARTIAL DECREE PURSUANT
I.R.C.P. 54(b) FOR
Water Right 61-07330

NAME AND ADDRESS: CARL F REYNOLDS AND SONS
C/O CINDER CONE FARMS
1115 W 24TH S
MOUNTAIN HOME, ID 83647

SOURCE: GROUNDWATER

QUANTITY: 2.64 CFS
720.00 AFY

THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN 0.02 CFS PER ACRE NOR MORE THAN 4.5 AFA PER ACRE AT THE FIELD HEADGATE FOR IRRIGATION OF THE LANDS ABOVE.

THE TOTAL INSTANTANEOUS DIVERSION OF WATER FROM ALL POINTS OF DIVERSION UNDER RIGHTS 61-7204, 61-7206C, 61-7330, 61-12015 AND 61-12017 SHALL NOT EXCEED 17.92 CFS. A TOTAL COMBINED ANNUAL VOLUME OF 4037.5 AF, AND THE IRRIGATION OF 924 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

PRIORITY DATE: 05/24/1977

POINT OF DIVERSION: T02S R04E S35 SENE Within Elmore County
R05E S19 SWNW
T03S R05E S06 NESW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	2.64 CFS 720.00 AFY

PLACE OF USE:	Irrigation	Within Elmore County
T02S R04E S12	NENW 40.0 SWNW 40.0 NESW 40.0 SWSW 40.0	NWNW 40.0 SENW 40.0 NWSW 40.0 SESW 40.0
S26	NENW 40.0 NESW 40.0 SWSW 40.0	SENW 40.0 NWSW 40.0 SESW 40.0
S34	NESE 40.0 SWSE 40.0	NWSE 40.0 SESE 40.0
S35	NENE 40.0 SWNE 40.0 NENW 40.0 SWNW 40.0 NESW 40.0 SWSW 40.0 NESE 40.0 SWSE 40.0	NWNE 40.0 SENE 40.0 NWNW 40.0 SENW 40.0 NWSW 40.0 SESW 40.0 NWSE 40.0 SESE 40.0
R05E S19	NENW 40.0 SWNW 40.0 NESW 40.0 SWSW 40.0	NWNW 40.0 SENW 40.0 NWSW 40.0 SESW 40.0
T03S R04E S13	NENE 40.0 SWNE 40.0 NESE 40.0 SWSE 40.0	NWNE 40.0 SENE 40.0 NWSE 40.0 SESE 40.0
R05E S06	NESW 40.0 SWSW 40.0	NWSW 40.0 SESW 40.0

PLACE OF USE (continued)

S07	NENW 40.0	NWNW 40.0
	SWNW 40.0	SEnw 40.0
	NESW 40.0	SESW 40.0
	NWSE 40.0	SWSE 40.0
S18	NENW 40.0	NWNW 40.0
	SWNW 40.0	SEnw 40.0
2640.0 Acres Total		

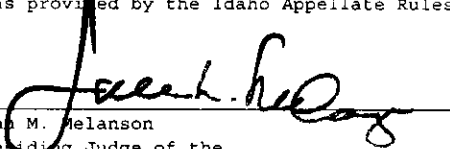
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

2004 JAN 29 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____ *M*

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

)

CERTIFICATE OF MAILING

)

Case No. 39576

)

)

Water Right(s): 61-07330

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 61-07330 was mailed
on January 29, 2004, with sufficient first-class postage prepaid
to the following:

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

CARL F REYNOLDS AND SONS
C/O CINDER CONE FARMS
1115 W 24TH S
MOUNTAIN HOME, ID 83647
Phone: 208-587-5145

JULIE MURPHY
Chief Deputy Clerk