

2004 JUL 14 PM 3:43

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

Water Rights: 65-03617, 65-11211 and 65-11261

Case No. 39576

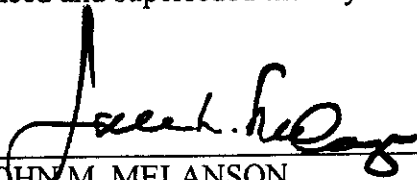
ORDER GRANTING MOTION TO
CORRECT CLERICAL ERROR; I.R.C.P 60(a)

On July 12, 2004, Claimants George and Cheryl Colwell, through their attorney of record Dana Hofstetter, filed a *Motion to Correct Clerical Mistake Pursuant to I.R.C.P. 60(a)*. Claimants are seeking to correct a clerical error in the *Partial Decrees Pursuant to I.R.C.P. 54(b)* that were filed on June 29, 2004. Claimants are requesting that the mailing address for Cheryl F Colwell be corrected from 3990 Hwy 25 to 3990 Hwy 52.

After a review of the record in the above-listed subcases, and specifically a review of the *Standard Forms 5* filed May 11, 2004, the Court has determined that a clerical error was made in describing the mailing address for Claimant Cheryl F Colwell. The correct mailing address should be 3990 Hwy 52, Payette, ID 83661.

THEREFORE IT IS ORDERED that water rights 65-03617, 65-11211, and 65-11261 are hereby **decreed** as set forth in the attached *Amended Partial Decrees Pursuant to I.R.C.P. 54(b)*. The previously issued *Partial Decrees* are replaced and superseded thereby.

DATED July 14, 2004.

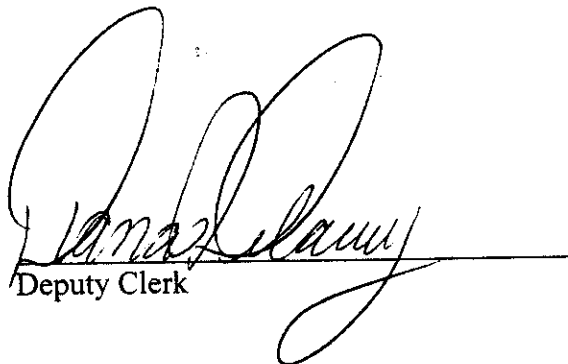

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I hereby certify that true and correct copies of the **ORDER GRANTING MOTION TO CORRECT CLERICAL ERRORS; I.R.C.P 60(a)** were mailed on July 14, 2004, by first-class mail to the following:

Dana Hofstetter
608 West Franklin Street
Boise, ID 83702

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098



Dana Delaney
Deputy Clerk

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

AMENDED

2001 JUL 14 PM 3:43

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

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 65-03617

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: GEORGE E COLWELL
PO BOX 251
NORTH POWDER, OR 97867-0251

CHERYL F COLWELL
3990 HWY 52
PAYETTE, ID 83661

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 26.44 CFS

PRIORITY DATE: 04/01/1890

POINT OF DIVERSION: T08N R04W S35 SWSWSE Within Payette County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	26.44 CFS

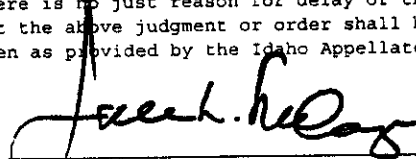
PLACE OF USE:	Irrigation	Within Payette County
	T08N R04W S20 LOT 1 (NENE) 10.0	LOT 2 (NWNE) 34.0
	LOT 2 (SWNE) 38.0	LOT 1 (SENE) 38.0
	NENW 12.0	LOT 3 (SENW) 9.7
	NESE 40.0	NWSE 14.0
	SWSE 11.0	SESE 19.0
	S21 LOT 5 (SWNW) 31.0	LOT 6 (NESW) 40.0
	NWSW 40.0	SWSW 11.0
	SESW 15.0	LOT 7 (NWSE) 28.0
	SWSE 6.3	LOT 8 (SESE) 14.0
	411.0 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

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

AMENDED

2001 JUL 14 PM 3:43

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

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 65-11211

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: GEORGE E COLWELL
PO BOX 251
NORTH POWDER, OR 97867-0251

CHERYL F COLWELL
3990 HWY 52
PAYETTE, ID 83661

SOURCE: UNNAMED SLOUGH TRIBUTARY: PAYETTE RIVER

QUANTITY: 1.34 CFS

PRIORITY DATE: 06/01/1932

POINT OF DIVERSION: T08N R04W S20 LOT 3 (NENW) Within Payette County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	1.34 CFS

PLACE OF USE:	Irrigation	Within Payette County
	T08N R04W S17 SWSW 5.0	
	S19 LOT 7 (NENE) 3.0	
	S20 LOT 3 (NENW) 4.0	LOT 6 (NWNW) 36.0
	LOT 6 (SWNW) 12.0	LOT 6 (SENW) 7.0
	67.0 Acres Total	

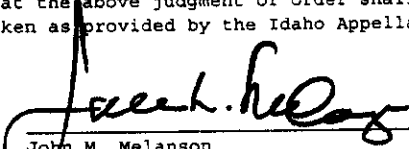
USE OF THIS RIGHT WITH RIGHT NO. 65-07461 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 152.0 ACRES IN A SINGLE
IRRIGATION SEASON.

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

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

AMENDED

In Re SRBA)
)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 65-11261

2004 JUL 14 PM 3:43

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS:

GEORGE E COLWELL
PO BOX 251
NORTH POWDER, OR 97867-0251

CHERYL F COLWELL
3990 HWY 52
PAYETTE, ID 83661

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.33 CFS

PRIORITY DATE: 10/24/1982

POINT OF DIVERSION: T08N R04W S35 SWSWSE Within Payette County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.33 CFS

PLACE OF USE:	Irrigation	Within Payette County
	T08N R04W S27 10.0 Acres Total	NENW 1.0 SENEW 9.0

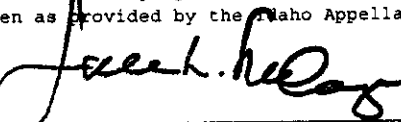
USE OF THIS RIGHT WITH RIGHT NO. 65-07461 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 152.0 ACRES IN A SINGLE
IRRIGATION SEASON.

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