

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

AUG 31 2009

Clerk
Deputy Clerk

In Re SRBA

Case No. 39576

**NOTICE OF COURT'S INTENT TO ISSUE
AMENDED PARTIAL DECREES TO
CORRECT CLERICAL ERROR AND
NOTICE OF HEARING THEREON**

For Water Rights: See EXHIBIT A

Partial Decrees were issued for the above-captioned water rights on November 17, 2008. On August 26, 2009, the Idaho Department of Water Resources filed *Amended Director's Reports* for the above-captioned rights. These rights were decreed as uncontested, but should have been withheld from decree because they were affected by other related contested rights (See Exhibit B). The Court finds this to be the result of a clerical error. Therefore, it is the intent of the Court to issue *Amended Partial Decrees* consistent with the recently issued *Amended Director's Reports*, correcting the clerical error in accordance with the attached.

Therefore, IT IS ORDERED that a hearing will be held on this matter on **Tuesday, November 17, 2009 at 1:30 p.m. (Mountain Time)** at the Snake River Basin Adjudication District Court, 253 3rd Avenue North, Twin Falls, Idaho. Any party wishing to object or comment on the Court's proposed action shall do so at that time. Attendance at this hearing by the claimants is not required, as the Court will take the proposed action in the absence of any objection to the contrary. Telephone participation will be available by calling **1-918-583-3445** and entering **406128** when prompted

Parties to subcases listed in both Exhibit A and Exhibit B will receive notice of the hearing on the court's intent to issue *Amended Partial Decrees*. However, it is only those rights

listed in Exhibit A that are subject to the proposed *Amended Partial Decrees* due to a clerical error.

IT IS SO ORDERED.

DATED: August 31, 2009



JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

EXHIBIT A - B75 AMENDED UNCONTESTED

Subcase Nos:

75-00083B
75-00083C
75-13948
75-13950
75-13986
75-13988
75-14433
75-14435
75-14444
75-14445
75-14446
75-14447

EXHIBIT B

Subcase Nos:

75-14095
75-14097
75-14162
75-14163
75-14269
75-14381
75-14382
75-14383
75-14384
75-14432
75-14434
75-14437
75-14438
75-14439
75-14440

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 75-00083B

NAME AND ADDRESS: LAWRENCE L SHILEY
SHIRLEY E CLAY
PO BOX 136
CARMEN, ID 83462

SOURCE: WALLACE CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.04 CFS

PRIORITY DATE: 05/13/1898

POINT OF DIVERSION: T22N R22E S06 LOT 7 (NWSW) Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.04 CFS

PLACE OF USE: Irrigation Within Lemhi County
T22N R22E S06 LOT 11 (NESW) 0.2 LOT 13 (SESW) 3.7
3.9 Acres Total

Right Nos. 75-83B and 75-14586 are limited to the irrigation of
a combined total of 3.9 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.

DRAFT

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

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

AMENDED
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 75-00083C

NAME AND ADDRESS: WILLIAM ROBERT MAXWELL
PO BOX 256
CARMEN, ID 83462

SOURCE: WALLACE CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.02 CFS

The quantity of water under this right for domestic use shall
not exceed 13,000 gallons per day.

PRIORITY DATE: 05/13/1898

POINT OF DIVERSION: T22N R22E S06 LOT 7 (NWSW) Within Lemhi County
LOT 7 (NWSW)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-01	0.02 CFS
	Domestic	01-01 TO 12-31	0.02 CFS

PLACE OF USE: Irrigation Within Lemhi County
T22N R22E S06 LOT 7 (NWSW) 2.3
2.3 Acres Total

Domestic Within Lemhi County
T22N R22E S06 LOT 7 (NWSW)

Right Nos. 75-83C and 75-14577 are limited to the irrigation of
a combined total of 2.3 acres in a single irrigation season.

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

The quantity of water decreed for this water right for domestic
use 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.

DRAFT

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 75-13948

NAME AND ADDRESS: IRENE ARRINGTON
L ARDEN ARRINGTON
BOX 1110
SALMON, ID 83467

SOURCE: WALLACE CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.03 CFS

PRIORITY DATE: 05/13/1898

POINT OF DIVERSION: T22N R22E S06 LOT 7 (NWSW) Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.03 CFS

PLACE OF USE: Irrigation Within Lemhi County
T22N R22E S06 LOT 11 (NESW) 3.8
3.8 Acres Total

Right Nos. 75-13948 and 75-13950 are limited to the irrigation
of a combined total of 3.8 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.

DRAFT

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 75-13950

NAME AND ADDRESS: IRENE ARRINGTON
L ARDEN ARRINGTON
BOX 1110
SALMON, ID 83467

SOURCE: WALLACE CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.05 CFS

PRIORITY DATE: 06/01/1902

POINT OF DIVERSION: T22N R22E S06 LOT 7 (NWSW) Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.05 CFS

PLACE OF USE: Irrigation Within Lemhi County
T22N R22E S06 LOT 11 (NESW) 3.8
3.8 Acres Total

Right Nos. 75-13948 and 75-13950 are limited to the irrigation
of a combined total of 3.8 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.

DRAFT

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

AMENDED

PAGE 1
Aug-27-2009

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
_____) Water Right 75-13988

NAME AND ADDRESS: JANET GOSACK
LAWRENCE R GOSACK
320 DIAMOND CREEK LN
SALMON, ID 83467

SOURCE: WALLACE CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.05 CFS

PRIORITY DATE: 06/01/1902

POINT OF DIVERSION: T22N R22E S06 LOT 7 (NWSW) Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.05 CFS

PLACE OF USE: Irrigation Within Lemhi County
T22N R22E S06 LOT 9 (SWNE) 1.7 SENW 2.5
4.2 Acres Total

Right Nos. 75-13986 and 75-13988 are limited to the irrigation
of a combined total of 4.2 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.

DRAFT

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 75-14433

NAME AND ADDRESS: LINDA K HEFFNER
BOX 134
SALMON, ID 83467

SOURCE: WALLACE CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.03 CFS

PRIORITY DATE: 05/13/1898

POINT OF DIVERSION: T22N R22E S06 LOT 7 (NWSW) Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.03 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T22N R22E S06 LOT 9 (SWNE) 2.9	SENE 0.3
	3.2 Acres Total	

Right Nos. 75-14433 and 75-14435 are limited to the irrigation
of a combined total of 3.2 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.

DRAFT

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 75-14435

NAME AND ADDRESS: LINDA K HEFFNER
BOX 134
SALMON, ID 83467

SOURCE: WALLACE CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.04 CFS

PRIORITY DATE: 06/01/1902

POINT OF DIVERSION: T22N R22E S06 LOT 7 (NWSW) Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.04 CFS.

PLACE OF USE:	Irrigation	Within Lemhi County
	T22N R22E S06 LOT 9 (SWNE) 2.9	SENE 0.3
	3.2 Acres Total	

Right Nos. 75-14433 and 75-14435 are limited to the irrigation
of a combined total of 3.2 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.

DRAFT

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 75-14444

NAME AND ADDRESS: IRENE ARRINGTON
L ARDEN ARRINGTON
BOX 1110
SALMON, ID 83467

SOURCE: WALLACE CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.02 CFS

PRIORITY DATE: 05/13/1898

POINT OF DIVERSION: T22N R22E S06 LOT 7 (NWSW) Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.02 CFS

PLACE OF USE: Irrigation Within Lemhi County
T22N R22E S06 SENW 2.4
2.4 Acres Total

Right Nos. 75-14444 and 75-14446 are limited to the irrigation
of a combined total of 2.4 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.

DRAFT

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 75-14445

NAME AND ADDRESS: PENSICO TRUST COMPANY
CUSTODIAN L ARDEN ARRINGTON
BOX 1110
SALMON, ID 83467

SOURCE: WALLACE CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.04 CFS

PRIORITY DATE: 05/13/1898

POINT OF DIVERSION: T22N R22E S06 LOT 7 (NWSW) Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.04 CFS

PLACE OF USE: Irrigation Within Lemhi County
T22N R22E S06 SENW 3.9 LOT 11 (NESW) 0.3
4.2 Acres Total

Right Nos. 75-14445 and 75-14447 are limited to the irrigation
of a combined total of 4.2 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.

DRAFT

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 75-14446

NAME AND ADDRESS: IRENE ARRINGTON
L ARDEN ARRINGTON
BOX 1110
SALMON, ID 83467

SOURCE: WALLACE CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.03 CFS

PRIORITY DATE: 06/01/1902

POINT OF DIVERSION: T22N R22E S06 LOT 7 (NWSW) Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.03 CFS

PLACE OF USE: Irrigation Within Lemhi County
T22N R22E S06 SENW 2.4
2.4 Acres Total

Right Nos. 75-14444 and 75-14446 are limited to the irrigation
of a combined total of 2.4 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.

DRAFT

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)
) PARTIAL DECREE PURSUANT TO
Case No. 39576) I.R.C.P. 54(b) FOR
) Water Right 75-14447

NAME AND ADDRESS: PENSICO TRUST COMPANY
CUSTODIAN L ARDEN ARRINGTON
BOX 1110
SALMON, ID 83467

SOURCE: WALLACE CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.05 CFS

PRIORITY DATE: 06/01/1902

POINT OF DIVERSION: T22N R22E S06 LOT 7 (NWSW) Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.05 CFS

PLACE OF USE: Irrigation Within Lemhi County
T22N R22E S06 SENW 3.9 LOT 11 (NESW) 0.3
4.2 Acres Total

Right Nos. 75-14445 and 75-14447 are limited to the irrigation
of a combined total of 4.2 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.

DRAFT

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

CERTIFICATE OF MAILING

I certify that a true and correct copy of the NOTICE OF COURT'S INTENT TO ISSUE AMENDED PARTIAL DECREES TO CORRECT CLERICAL ERROR AND NOTICE OF HEARING THEREON was mailed on August 31, 2009, with sufficient first-class postage to the following:

FREDDE HOWARTH-NOTT SEPARATE
PROPERTY TRUST
PO BOX 1166
SALMON, ID 83467
Phone: 208-756-4712

DAN F FARLEY
Represented by:
MILTON A. SLAVIN
ATTORNEY AT LAW
116 N CENTER ST.
SALMON, ID 83467
Phone: 208-756-2030

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

IRENE ARRINGTON
L ARDEN ARRINGTON
BOX 1110
SALMON, ID 83467
Phone: 208-756-1322

LINDA K HEFFNER
BOX 134
SALMON, ID 83467
Phone: 208-756-2954

GREGORY M SHEFTS
CAROL A SHEFTS
703 RIVERFRONT DRIVE
SALMON, ID 83467
Phone: 208-756-3288

PENSCO TRUST COMPANY
CUSTODIAN L ARDEN ARRINGTON
BOX 1110
SALMON, ID 83467

GERTRUDE I MAXWELL
PO BOX 1016
SALMON, ID 83467
Phone: 208-756-3429

LAWRENCE L SHILEY
SHIRLEY E CLAY
PO BOX 136
CARMEN, ID 83462
Phone: 208-756-8467

BILL MAXWELL
WILLIAM ROBERT MAXWELL
PO BOX 256
CARMEN, ID 83462
Phone: 208-756-2616

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

LESLIE J ANDERSON
ROBERT ANDERSON
PO BOX 852
KETCHUM, ID 83340
Phone: 208-788-3550

JANET GOSACK
LAWRENCE R GOSACK
320 DIAMOND CREEK LN
SALMON, ID 83467

DAVID YANOFF
343 DIAMOND CREEK RD
SALMON, ID 83467-5298
Phone: 208-303-0354

DALLAS A LEWIS
VANCE E LEWIS
357 DIAMOND CREEK RD
SALMON, ID 83467
Phone: 208-756-1326

NOTICE

Page 1 8/31/09

FILE COPY FOR 00180

Deputy Clerk

