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MAY 22 2013

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
MAY 21 2012	
By _____	Clerk
_____	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

) Subcase 81-12000
)
) ORDER GRANTING MOTION TO
) ALTER OR AMEND TO CORRECT
) CLERICAL ERROR
)
) AMENDED SPECIAL MASTER'S
) REPORT

I. FINDINGS OF FACT

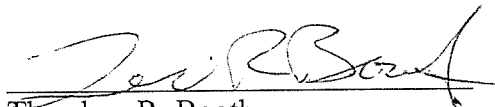
On April 30, 2013, the claimant of the above-captioned water right, the State of Idaho, Department of Lands, through Deputy Attorney General Tyson K. Nelson, filed a *Motion to Alter or Amend Special Master's Report and Recommendation* for the purpose of correcting a clerical error in the recommendation. The *Motion* is **granted**.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein, IT IS RECOMMENDED that water right 81-12000 be **decreed** with the elements as set forth in the attached *Amended Recommendation for Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated

May 21, 2013



Theodore R. Booth
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO ALTER OR AMEND TO CORRECT CLERICAL ERROR AND AMENDED SPECIAL MASTER'S REPORT was mailed on May 21, 2013, with sufficient first-class postage to the following:

STATE OF IDAHO

Represented by:

CHIEF NATURAL RESOURCES DIV
OFFICE OF THE ATTORNEY GENERAL

STATE OF IDAHO

PO BOX 44449

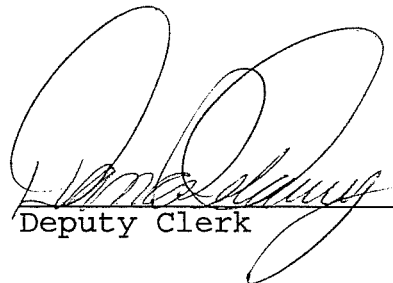
BOISE, ID 83711-0449

Phone: 208-334-2400

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098



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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 81-12000

NAME AND ADDRESS: STATE OF IDAHO
DEPARTMENT OF LANDS
300 N 6TH ST STE 103
PO BOX 83720
BOISE, ID 83720-0050

SOURCE: UNNAMED STREAM TRIBUTARY: MAGGIE CREEK

QUANTITY: 4.83 AFY

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
The quantity of water under this right for industrial use shall not exceed 0.20 acre-feet per day.
The capacity of the 3 storage reservoirs is 2.37 AF. The reservoirs may be refilled multiple times up to the total diversion volume in a single year.

PRIORITY DATE: 08/18/1961

POINT OF DIVERSION: T33N R05E S17 SWNW Within Idaho County
SWNW
S19 LOT 1 (NWNW)

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Industrial from Storage	01-01 TO 12-31	4.83 AFY
Industrial Storage	01-01 TO 12-31	4.83 AFY
Fire Protection Storage	01-01 TO 12-31	4.83 AFY
Fire Protect from Storage	01-01 TO 12-31	4.83 AFY
Stockwater Storage	01-01 TO 12-31	4.83 AFY
Stockwater from Storage	01-01 TO 12-31	4.83 AFY

Industrial use is for forest practices and forest dust abatement as provided for by Section 42-201, Idaho Code.

PLACE OF USE: Stockwater from Storage Within Idaho County
T33N R05E S17 SWNW
S18 LOT 4 (SWSW)
S19 LOT 1 (NWNW)

Industrial from Storage	Within Idaho County
T33N R05E S17	NENE NWNE
	SWNE SENE
	NENW NWNW
	SWNW SENW
	NESW NWSW
	SWSW SESW
	NESE NWSE
	SWSE SESE
S19	NENE NWNE
	SWNE NENW
LOT 1 (NWNW)	LOT 2 (SWNW)
SENW	

Fire Protect from Storage	Within Idaho County
T33N R05E S17	NENE NWNE
	SWNE SENE

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

	NENW		NWNW
	SWNW		SENW
	NESW		NWSW
	SWSW		SESW
	NESE		NWSE
	SWSE		SESE
S19	NENE		NWNE
	SWNE		NENW
LOT 1	(NWNW)	LOT 2	(SWNW)
	SENW		

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

The quantity of water decreed for this water right for stockwater 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.

Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

