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AUG 29 2001

Department of Water Resources

2001 AUG 28 AM 10:16

DISTRICT COURT
TWIN FALLS CO., IDAHO
FILED RJ

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 72-10221B
)
)
)
)
)
)


ORDER CORRECTING CLERICAL ERROR
IN PARTIAL DECREE; I.R.C.P. 60(a)

ORDER OF AMENDED PARTIAL DECREE
ENTERED NUNC PRO TUNC

On January 22, 2001, a *Partial Decree* was issued for the above-captioned water right. Subsequently, it has come to the Court's attention that the *Partial Decree* contains a clerical error in the township regarding the point of diversion. Specifically, T10N R18E S26 listed in the director's report and *Partial Decree* should be changed to T11N R18E S26 to match the *SF5*.

Therefore, IT IS HEREBY ORDERED that the aforementioned clerical error is corrected pursuant to I.R.C.P. 60(a), and that water right 72-10221B is decreed as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b) Entered Nunc Pro Tunc to January 22, 2001*.

DATED: 8-28-01



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER CORRECTING CLERICAL ERROR IN PARTIAL DECREE; ORDER OF AMENDED PARTIAL DECREE ENTERED NUNC PRO TUNC I.R.C.P. 60(A) was mailed on August 28, 2001, with sufficient first-class postage to the following:

US Department of Interior
Bureau of Land Management
RT 2 Box 610
Salmon, ID 83467

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

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 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)
_____)

AMENDED NUNC PRO TUNC
PARTIAL DECREE PURSUANT TO 2001 AUG 28 AM 8:46
I.R.C.P. 54(b) FOR
Water Right 72-10221B

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED 28

NAME AND ADDRESS: US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
RT 2 BOX 610
SALMON, ID 83467

SOURCE: SALMON RIVER, EAST FORK TRIBUTARY: SALMON RIVER

QUANTITY: 0.01 CFS

PRIORITY DATE: 05/01/1936

POINT OF DIVERSION: T11N R18E S26 SWSNW Within Custer County
SESESW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.01 CFS

PLACE OF USE: Irrigation Within Custer County
T11N R18E S26 NWSE 3.1 SWSE 0.8
S35 LOT 02 (NWNE) 2.0
5.9 Acres Total

USE OF THE RIGHTS LISTED BELOW ARE LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 5.9 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS. 72-10220B, 72-10221B, 72-10222B AND
72-10237B.

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.

Roger Burdick

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

RECEIVED

JAN 23 2001

Department of Water Resources

2001 JAN 22 PM 4:01

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

Case No. 39576

ORDER OF PARTIAL DECREE

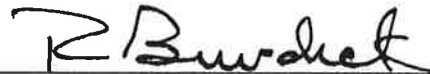
For Water Right 72-10221B

On June 15, 2000, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 72-10221B is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED January 22, 2001.



ROGER S. BURDICK

Presiding Judge

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)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 72-10221B

2001 JAN 22 PM 4:01
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
RT 2 BOX 610
SALMON, ID 83467

SOURCE: SALMON RIVER, EAST FORK TRIBUTARY: SALMON RIVER

QUANTITY: 0.01 CFS

PRIORITY DATE: 05/01/1936

POINT OF DIVERSION: T10N R18E S26 SWSNW Within Custer County
T11N R18E S26 SESESW

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 04-01 TO 10-31 0.01 CFS

PLACE OF USE: Irrigation Within Custer County
T11N R18E S26 NWSE 3.1 SWSE 0.8
S35 LOT 02 (NWNE) 2.0
5.9 Acres Total

USE OF THE RIGHTS LISTED BELOW ARE LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 5.9 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS. 72-10220B, 72-10221B, 72-10222B AND
72-10237B.

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.



Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

2001 JAN 22 PM 02:00
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)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s): 72-10221B

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 72-10221B was mailed
on January 22, 2001, with sufficient first-class postage prepaid
to the following:

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

US DEPT OF INTERIOR
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

DIANA DELANEY
Chief Deputy Clerk