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SEP 11 2008

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
SEP 10 2008	
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

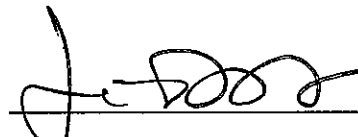
)
)
) **ORDER OF AMENDED PARTIAL
DECREE**
)
)

) **For water right: 01-07082**
)
)

A *Partial Decree* was issued for the above-captioned water right on September 14, 2007. On February 14, 2008, the claimant filed a *Motion to Set Aside Partial Decree* in order to make the *Partial Decree* consistent with the elements and terms of the license. On March 20, 2008, this Court entered an *Order Granting Motion to Set Aside Partial Decree*. On June 5, 2008, IDWR filed a *Notice of Completed Administrative Proceeding* and an *Amended Director's Report*. No objections were filed and the time for filing objections has expired.

Therefore, IT IS ORDERED that water right 01-07082 hereby **amended and decreed** as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated September 10, 2008.



JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

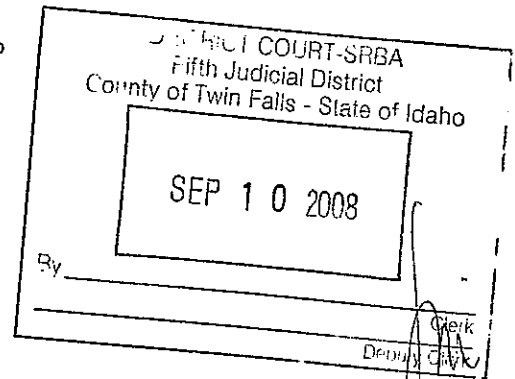
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

AMENDED

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 01-07082



NAME AND ADDRESS: CITY OF BURLEY
1400 OVERLAND AVE
BURLEY, ID 83318

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1.60 CFS
873.00 AFY

CONSUMPTIVE USE OF WATER UNDER THIS RIGHT SHALL NOT EXCEED
2.0 ACRE FEET PER DAY.

PRIORITY DATE: 02/24/1983

POINT OF DIVERSION: T10S R23E S16 LOT 1 (SWSESE) Within Cassia County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Water Quality Improvement	01-01 TO 12-31	1.60 CFS 873.00 AFY

PLACE OF USE:	Water Quality Improvement	Within Cassia County
	T10S R23E S16 LOT 2 (NESW)	LOT 3 (NWSW)
	SESW	LOT 2 (NWSE)
	LOT 1 (SWSE)	
	S17 LOT 1 (NESE)	
	S21 NWNE	

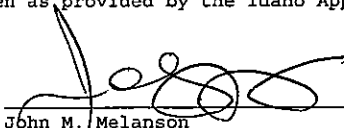
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

WATER SHALL NOT BE DIVERTED UNDER THIS RIGHT UNLESS WATER IS
BEING SPILLED AT MILNER DAM BY THE WATER DISTRICT 1 WATERMASTER.

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

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF AMENDED PARTIAL DECREE was mailed on September 10, 2008, with sufficient first-class postage to the following:

CITY OF BURLEY

Represented by:

RANDOLPH CALVIN STONE

PO BOX 910

BURLEY, ID 83318

Phone: 208-878-8382

DIRECTOR OF IDWR

PO BOX 83720

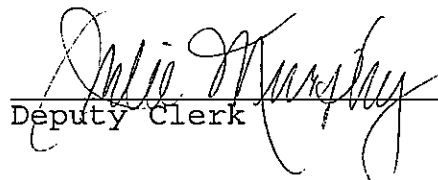
BOISE, ID 83720-0098

ORDER

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FILE COPY FOR 00461

Deputy Clerk

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line. The signature is fluid and stylized, with the first name "Julie" and last name "Murphy" clearly distinguishable.