

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT GRAB
TWIN FALLS CO. IDAHO
FILED
2003 FEB 5 PM 2 26

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;
I.R.C.P. 60(a) CLERICAL ERROR**

For Water Right 63-32613

On May 14, 2007, this court issued an *Order of Partial Decree* for water right 63-32613. It has come to the court's attention that the *Partial Decree Pursuant to I.R.C.P. 54(b)* is incorrect. Pursuant to the *Standard Form 5* filed March 26, 2007, Sylvan Williamson, 850 Williamson Ln, Eagle, ID 83616, should have been included under the Name and Address element for water right 63-32613. An *Amended Partial Decree Pursuant to I.R.C.P. 54(b)* is attached.

January 5, 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 63-32613

FILED
2008 FEB 5 PM 2 26

NAME AND ADDRESS: BARBARA A WILLIAMSON
SYLVAN D WILLIAMSON
850 WILLIAMSON LN
EAGLE, ID 83616

SOURCE: BOISE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 4.20 CFS
945.00 AFY

This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: 03/01/1865

POINT OF DIVERSION: T04N R01E S22 LOT 6 (SWNE) Within Ada County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	4.20 CFS 945.00 AFY

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoirs dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

PLACE OF USE:	Irrigation	Within Ada County
	T04N R01E S15	NWSW 4.0 LOT 5 (SWSW) 35.0
		SESW 10.0
	S16 LOT 8	(NESE) 16.0 LOT 7 (NWSE) 1.0
	LOT 7	(SWSE) 6.0 LOT 8 (SESE) 22.5

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

PLACE OF USE (continued)

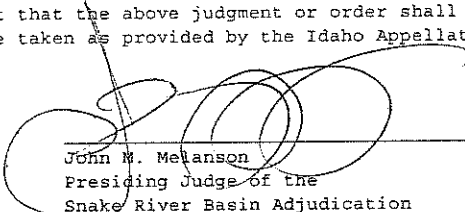
S21 LOT 1	(NENE)22.5	LOT 2	(NWNE) 3.0
LOT 2	(SENE) 5.0		
S22 LOT 3	(NENW)27.0	LOT 4	(NWNW)38.0
LOT 5	(SWNW) 5.0	LOT 6	(SENW)15.0
210.0 Acres Total			

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

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF AMENDED PARTIAL DECREE; I.R.C.P. 60(A) CLERICAL ERROR was mailed on February 05, 2008, with sufficient first-class postage to the following:

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

BARBARA A WILLIAMSON
SYLVAN D WILLIAMSON
850 WILLIAMSON LN
EAGLE, ID 83616

ORDER

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Deputy Clerk