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Department of Water Resources

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

JUL 31 2003

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 DECREES;
I.R.C.P. 60(a)**

For Water Rights 65-22574, 65-22576 and 65-22578 and 65-22579

On March 7, 2003, ***Amended Partial Decrees*** were issued for the water rights listed above.

On July 17, 2003, the Idaho Department of Water Resources notified the Court about partial omissions in the descriptions of the Source element. In reviewing these water rights, the Court determines these omissions were the result of clerical errors.

Therefore, IT IS ORDERED that the water rights listed above are hereby **decreed** as set forth in the attached ***Amended Partial Decrees Pursuant to I.R.C.P. 54(b)***. The previously issued ***Amended Partial Decrees*** are replaced and superseded thereby.

DATED July 31, 2003.

Roger Burdick

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

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

JUL 31 2003

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No 39576)
)
) Water Right 65-22574

By _____ Clerk
Deputy Clerk

NAME AND ADDRESS. HOFF COMPANIES INC
280 E CORPORATE DR SUITE 200
MERIDIAN, ID 83642

SOURCE PADGET CREEK TRIBUTARY. NORTH FORK LITTLE SQUAW CREEK

QUANTITY 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY

PRIORITY DATE 12/30/1870

POINT OF DIVERSION: T10N R02E S02 LOT 3 (SWNENW) (Instream Ending Point) Within Valley County
T11N R02E S35 NENWNW (Instream Beginning Point)

PURPOSE AND PERIOD OF USE PURPOSE OF USE PERIOD OF USE QUANTITY
Stockwater 01-01 TO 12-31 0.02 CFS

INSTREAM STOCKWATER

PLACE OF USE Stockwater Within Valley County
T10N R02E S02 LOT 3 (NENW)
T11N R02E S35 NWNW SWNW
NESW NWSW
SESW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

BASIN 65 GENERAL PROVISIONS NO 3, THE SEPARATE STREAMS GENERAL
PROVISION, DOES NOT APPLY TO APPROPRIATIONS OF WATER AFTER
OCTOBER 18, 1977.

THIS WATER RIGHT SHALL BE ADMINISTERED AS BEING FROM A
SEPARATE SOURCE PURSUANT TO BASIN 65 GENERAL PROVISIONS NO 3. IF
THE HOLDER OF THIS RIGHT SEEKS TO CHANGE THE RIGHT PURSUANT TO
IDAHO CODE SEC 42-222 OR SUCCESSOR STATUTE, NOTHING IN THIS
GENERAL PROVISION SHALL PRECLUDE ANY OTHER PERSON OR ENTITY FROM
DEMONSTRATING THAT SUCH CHANGE IN USE WOULD CAUSE INJURY TO ITS
WATER RIGHT OR FROM RECEIVING ANY RELIEF PROVIDED BY LAW IN THE
EVENT OF INJURY

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)