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Department of Water Resources

2001 JUN 22 PM 3:57

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

) AMENDED ORDER OF PARTIAL DECREE
) TO CORRECT CLERICAL ERROR; I.R.C.P.
) 60(a); *NUNC PRO TUNC*
)

FOR WATER RIGHT 34-00622A

A *Partial Decree* was entered for the above-captioned water right on May 25, 2001. Following issuance, it came to the Court's attention that a clerical error appeared in the *Partial Decree* regarding the place of use.

THEREFORE IT IS ORDERED, pursuant to I.R.C.P. 60(a), that the *Partial Decree* entered on May 25, 2001, is hereby amended *Nunc Pro Tunc* as set forth in the attached *Amended Partial Decree* pursuant to I.R.C.P. 54(b).

DATED: 6-22-01 *Nunc Pro Tunc* to May 25, 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

AMENDED

In Re SRBA)

Case No. 39576)

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

Water Right 34-00622A

2001 JUN 22 PM 3:57
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: OWEN LOFTUS
LOFTUS, GLORIA
ROUTE 1, BOX 11A
MOORE, ID 83255

SOURCE: BIG LOST RIVER TRIBUTARY: SINKS

QUANTITY: 1.57 CFS

PRIORITY DATE: 06/01/1896

POINT OF DIVERSION: T05N R26E S04 NWSESE Within Butte County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE Irrigation	PERIOD OF USE 05-01 TO 10-15	QUANTITY 1.57 CFS
-------------------------------	------------------------------	---------------------------------	----------------------

THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE
EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING
DATE OF 4-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF
THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES.

PLACE OF USE:	Irrigation	Within Butte County
	T04N R25E S25	SWNE 37.0
	NENE 4.0	SENE 38.0
	SENE 38.0	SENE 1.0
	80.0 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.

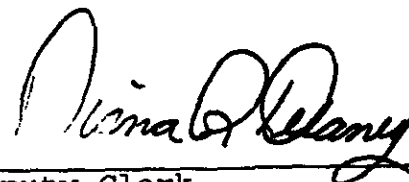

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the AMENDED ORDER OF PARTIAL DECREE TO CORRECT CLERICAL ERROR NUNC PRO TUNC was mailed on June 22, 2001, with sufficient first-class postage to the following:

OWEN LOFTUS
LOFTUS, GLORIA
ROUTE 1, BOX 11A
MOORE, ID 83255

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



2001 MAY 25 AM 11:48

FILED
TWIN FALLS CO., IDAHO

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 34-00622A

On June 19, 1998, 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.

On June 24, 1999, in response to the Idaho Supreme Court decision in *A&B Irrigation District v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), IDWR filed a *Supplemental Director's Report, Reporting Area 1, IDWR Basin 34, Regarding Revision of Period of Use (For Irrigation Water Uses) and Conjunctive Management General Provisions* which included a recommendation for the irrigation season of use for this water right. No objections to this Supplemental Report were filed and the time period for filing objections has now expired.

Therefore, IT IS ORDERED that water right 34-00622A is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED **MAY 25 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 34-00622A

2001 MAY 25 AM 11:48
FILED
TWIN FALLS CO., IDAHO

NAME AND ADDRESS: OWEN LOFTUS
LOFTUS, GLORIA
ROUTE 1, BOX 11A
MOORE, ID 83255

SOURCE: BIG LOST RIVER TRIBUTARY: SINKS

QUANTITY: 1.57 CFS

PRIORITY DATE: 06/01/1896

POINT OF DIVERSION: T05N R26E S04 NWSESE Within Butte County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 10-15	1.57 CFS

THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE
EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING
DATE OF 4-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF
THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES.

PLACE OF USE:	Irrigation		Within Butte County
	T04N R25E S25	NENE 5.0	SWNE 37.0
		SENE 38.0	
	80.0 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.



Roger Burdick
Presiding Judge of the
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

4-14

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 34-00622A

1998 APR 14 PM 2:34
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

NAME & ADDRESS: GLORIA LOFTUS
OWEN LOFTUS
RT1 BOX 11A
MOORE ID 83255

SOURCE: BIG LOST RIVER TRIBUTARY: SINKS

QUANTITY: 1.57 CFS

PRIORITY DATE: 06/01/1896

POINT OF DIVERSION: T05N R26E S04 NWSESE Within BUTTE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	1.57 CFS

PLACE OF USE:	IRRIGATION	Within BUTTE County
	T04N R25E S25	NWNE 5 SWNE 37 SENE 38
	80 ACRES TOTAL	

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.



DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication