

RECEIVED
OCT 21 2004
DEPARTMENT OF
WATER RESOURCES

2004 OCT 20 PM 4:55

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)**
)
)

) **For water right: 69-10515**

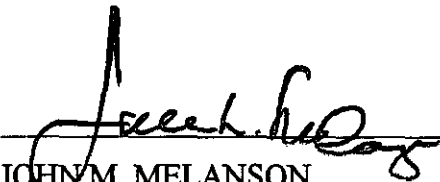
The above-captioned right was claimed by the United States, Department of Interior, Bureau of Land Management (BLM). A *Partial Decree* was filed on May 6, 2004. On August 30, 2004 a *Motion to Correct Clerical Error* was filed by the Claimant.

The *Motion* stated that the legal description for the place of use on the *Partial Decree* twice listed "Township 13N Range 6W Section 6 Lot 2 ()." The Idaho Department of Water Resources *Director's Report* and the *Special Master's Report and Recommendation* contained similar errors. The *Motion* stated that one of listed legal descriptions should be deleted, and that NWNE should be added within the parentheses to complete the legal description to comport with Idaho Department of Water Resources standards for legal descriptions of government lots.

A hearing was held on October 19, 2004. Larry Brown, representing the BLM, appeared. No one appeared to oppose the *Motion*. The Court finds that the double listing of the legal descriptions was a clerical error, and that NWNE should be added within the parentheses.

Therefore, IT IS ORDERED, that the above subcase is hereby **amended and decreed** as set forth in the attached *Amended Partial Decree* pursuant to I.R.C.P. 60(a).

Dated October 20, 2004.


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

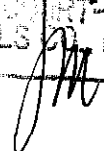
AMENDED

In Re SRBA)
Case No. 39576)
_____)

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

Water Right 69-10515

2004 OCT 20 PM 4:55

DISTRICT COURT - SRBA
TWIN FALLS, IDAHO
FILED 

NAME AND ADDRESS: USDI BLM
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE, ID 83709-1657

SOURCE: UNNAMED STREAM TRIBUTARY: WOLF CREEK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 06/28/1934

POINT OF DIVERSION: T13N R06W S06 NENWSE (Instream Beginning Point) Within Washington County
T14N R06W S31 NWSWE (Instream Ending Point)

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

PLACE OF USE:	Stockwater	Within Washington County
	T13N R06W S06 LOT 2 (NWNE)	SWNE
	SENE	NWSE
	T14N R06W S31	SESE
	SWSE	

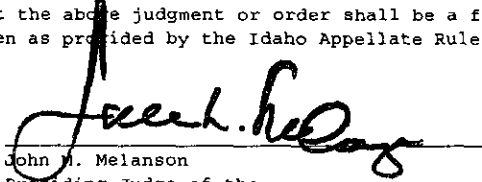
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

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 October 20, 2004, with sufficient first-class postage to the following:

USDI BLM

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

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

ORDER

Page 1 10/20/04

FILE COPY FOR 00022


Deputy Clerk