

ASTORIA, OR - 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

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

For Water Right 84-12006

On August 31, 2004, a ***Partial Decree*** was issued for the above-captioned water right. In reviewing the subcase file, the Court determines that an error was made in describing the County for the Point of Diversion and the Place of Use elements in the ***Partial Decree*** for this water right.

Therefore, IT IS ORDERED that water right 84-12006 is hereby **decreed** as set forth in the attached ***Amended Partial Decree Pursuant to I.R.C.P. 54(b)***. The previously issued ***Partial Decree*** is replaced and superseded thereby.

Therefore, IT IS ORDERED that the *Partial Decree Pursuant to I.R.C.P. 54(b)* for water right 84-12006 is hereby amended *nunc pro tunc* to correct the clerical error as set forth in the attached *Amended Partial Decree Pursuant to I.R.P.P. 54(b)*.

DATED September 24, 2004.

John H. Mulvaney

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 84-12006

2004 SEP 24 PM 12:50
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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

SOURCE: LOLO CREEK TRIBUTARY: CLEARWATER RIVER

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:	T34N R05E S17	NWSWSW (Instream Ending Point)	Within Idaho & Clearwater County
		SESESW (Instream Beginning Point)	
		NESESE (Instream Beginning Point)	
		SWSESE (Instream Ending Point)	
	S21	SWNWNE (Instream Beginning Point)	
		SESENE (Instream Beginning Point)	
		SWSENE (Instream Ending Point)	
		NWNWNW (Instream Ending Point)	
	S22	SWNWSE (Instream Ending Point)	
		SWSWSE (Instream Beginning Point)	
		SESWSE (Instream Ending Point)	
		NESESE (Instream Beginning Point)	
	S23	NWSESW (Instream Ending Point)	
		SESWSE (Instream Beginning 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 Idaho & Clearwater County
	T34N R05E S17	SESW
		SESE
	S21	NWNE
		SENE
		NWNW
	S22	NWSE
		SWSE
		SESE
	S23	SESW
		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).

2004 SEP 24 PM 02:00
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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 84-12006

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 84-12006 was mailed
on September 24, 2004, with sufficient first-class postage prepaid
to the following:

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

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

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

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09/24/04