

1999 AUG 12 AM 11: 03
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

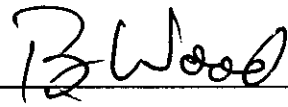
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	Subcase No. 27-10372
	)	
Case No. 39576	)	ORDER SETTING ASIDE PARTIAL
	)	DECREE; ORDER GRANTING
	)	MOTION TO FILE AMENDED
	)	NOTICE OF CLAIM; AND ORDER
	)	OF PARTIAL DECREE

On May 26, 1999, a *Recommendation to Set Aside Partial Decree* was issued by Special Master Haemmerle recommending the *Partial Decree Pursuant to I.R.C.P. 54(b) for Water Right 27-10372* issued April 23, 1999 be set aside. A *Motion to File Amended Notice of Claim* was filed July 6, 1999, by Claimant, Jackie L. Broadbent, requesting leave of the court to file an amended notice of claim changing the legal description of the place of use. No Challenges were filed to the *Recommendation*, nor were any objections filed to the *Motion to File Amended Notice of Claim*.

Therefore, IT IS ORDERED that the *Partial Decree* issued April 23, 1999 is hereby set aside and the *Motion to File Amended Notice of Claim* is granted. Consistent with the Amended Notice of Claim attached to Ms. Broadbent's July 6, 1999 *Motion*, IT IS FURTHER ORDERED that water right 27-10372 is decreed as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b) for Water Right 27-10372*.

DATED August 12, 1999


BARRY WOOD
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

ORDER SETTING ASIDE PARTIAL DECREE;
ORDER GRANTING MOTION TO FILE AMENDED
NOTICE OF CLAIM; AND ORDER OF PARTIAL DECREE
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CERTIFICATE OF MAILING

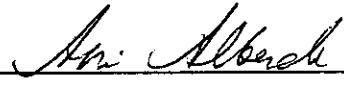
I hereby certify that true and correct copies of the **ORDER SETTING ASIDE PARTIAL DECREE; ORDER GRANTING MOTION TO FILE AMENDED NOTICE OF CLAIM; AND ORDER OF PARTIAL DECREE** were mailed on August 12, 1999, with sufficient, first-class postage to the following:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment & Natural Resources Division
550 W Fort Street
Boise, ID 83724

Orson L. and Jackie L. Broadbent
515 N 400 E
Firth, ID 83236



Deputy Clerk of the Court

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

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In Re SRBA)
Case No. 39576)
_____)

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

Water Right 27-10372

NAME AND ADDRESS: JACKIE L BROADBENT
ORSON LYNN BROADBENT
515 N 400 E
FIRTH, ID 83236

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

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

PRIORITY DATE: 06/01/1925

POINT OF DIVERSION: T02S R36E S02 SWSW Within Bingham County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.04 CFS
	Stockwater	01-01 TO 12-31	0.02 CFS

PLACE OF USE:	Stockwater		Within Bingham County
	T02S R36E S02	SWSW	
	Domestic		Within Bingham County
	T02S R36E S02	SWSW	

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.

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.



Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication