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JUL 13 2004

DEPARTMENT OF  
WATER RESOURCES

2004 JUL 12 PM 3:32

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

)  
)  
) **ORDER OF AMENDED PARTIAL**  
) **DECREE: I.R.C.P. 60(a)**  
)

) **For water rights: See Exhibit A**  
)  
)

*Partial Decrees* were previously issued for the above rights. The Court has discovered clerical errors in the *Partial Decrees*.

The IDWR's *Director's Report for Late Claims* for the above subcases were filed on February 18, 2003. No Objections were filed to the *Director's Reports* in the above subcases, and the above subcases were treated as uncontested water rights. *Partial Decrees* were filed on July 23, 2003. Because the *Director's Reports* were uncontested, the *Partial Decrees* should have been identical to the *Director's Report*. However, the quarter section descriptions in the *Partial Decrees'* Point of Diversion and Place of Use descriptions did not match those descriptions in the *Director's Reports*. The Court finds that the errors in the quarter section descriptions were clerical errors.

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

Dated July 12, 2004

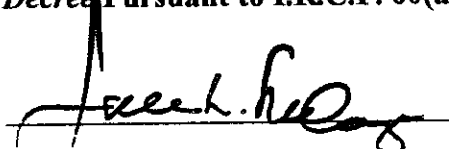
  
JOHN M. MELANSON  
Presiding Judge  
Snake River Basin Adjudication

EXHIBIT A

Subcase Nos:

31-10288  
34-13649  
34-13650  
34-13651  
34-13652  
35-08000  
35-08805  
35-08878  
35-08952  
36-02624  
36-02907  
36-08760  
36-15555  
36-15556  
41-10272  
41-10273  
41-10274  
41-10280  
43-02505  
43-02516  
43-02517  
43-02575  
57-11601  
61-11953

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 57-11601

2004 JUL 12 PM 3:33

DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
FILED

NAME AND ADDRESS: BRUCE REUCK  
TERRY REUCK  
RT 1 BOX 1220  
HOMEDALE, ID 83628

SOURCE: SUCCOR CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 08/31/1903

POINT OF DIVERSION: T03N R06W S14 LOT 2 (SNNW ) (Instream Beginning Point) Within Owyhee County  
NWNE (Instream Ending Point)

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Stockwater     | 01-01 TO 12-31 | 0.02 CFS |

| PLACE OF USE: | Stockwater    | Within Owyhee County |
|---------------|---------------|----------------------|
|               | T03N R06W S14 | NENW                 |
|               | LOT 1 (NWNW)  | LOT 2 (SNNW)         |
|               | SENE          |                      |

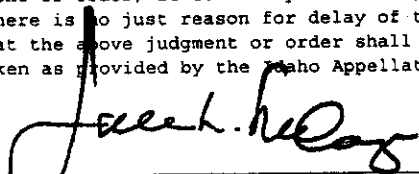
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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