

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: 29-07504

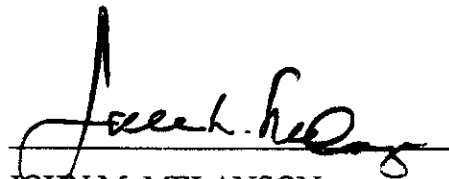
A *Partial Decree* was previously issued for the above-captioned right on March 22, 2004. The Idaho Department of Water Resources filed its *Director's Report for Irrigation and Other Uses, Reporting Area 9, Basin 29*, with the SRBA Court on July 11, 2003. This *Director's Report* included a recommendation for the above- referenced water right. No objections or responses were received. On December 22, 2003, IDWR notified the Court in writing regarding clerical omissions in that recommendation, together with an *Amended Director's Report* including the elements omitted from the original *Director's Report*. The Court found the omissions to be the result of clerical errors, and reset the objection deadline to March 5, 2004, with the deadline for filing responses set for May 7, 2004. No objections were received.

When the *Partial Decree* was filed on March 22, 2004, the changes made in the *Amended Director's Report* were omitted. Because no objections were filed to the right, and the omissions are clerical in nature, the Court finds it appropriate to amend the *Partial Decree* pursuant to I.R.C.P. 60(a).

Therefore, IT IS ORDERED, that water right 29-07504 is hereby amended and decreed as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 60(a)*.

Dated

June 25, 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 29-07504

2004 JUN 25 PM 2:03

NOTED 27-3834
TWIN FALLS CO, IDAHO
FILED *jm*

NAME AND ADDRESS: GREAT WESTERN MALTING CO
1666 KRAFT RD
POCATELLO, ID 83204

SOURCE: GROUND WATER

QUANTITY: 3.25 CFS
672.70 AFY

PRIORITY DATE: 09/20/1979

POINT OF DIVERSION: T06S R34E S16 SESW Within Bannock County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
Industrial		01-01 TO 12-31	3.23 CFS
			672.10 AFY
Domestic		01-01 TO 12-31	0.02 CFS
			0.60 AFY

PLACE OF USE:	Industrial		Within Bannock County
	T06S R34E S16	SESW	
	Domestic		Within Bannock County
	T06S R34E S16	SESW	

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

Domestic use is for employees at malting & distilling plant.
Industrial use is for Great Western Malting Co.

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
John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

2004 JUN 25 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): 29-07504

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 29-07504 was mailed
on June 25, 2004, with sufficient first-class postage prepaid
to the following:

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

GREAT WESTERN MALTING CO
1666 KRAFT RD
POCATELLO, ID 83204
Phone: 208-587-9055

JULIE MURPHY
Chief Deputy Clerk