

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUN 14 2004	
By _____	Clerk Deputy Clerk

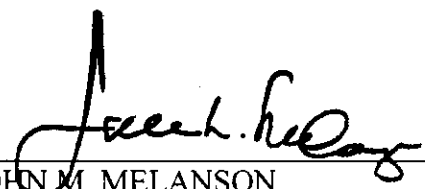
**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA	)	
	)	ORDER OF AMENDED PARTIAL DECREE
Case No. 39576	)	
_____	)	For Water Right 63-23255

On April 7, 2000, a *Partial Decree* was issued for the above-captioned water right. On October 16, 2003, the claimants, Allen and Bonita Cane, filed a *Motion to Set Aside Partial Decree*. This matter was referred to the Special Master on October 16, 2003. The Special Master issued a *Special Master's Report and Recommendation* on April 8, 2004, recommending setting aside and amending the *Partial Decree*. This Court has reviewed the findings of fact and conclusions of law contained in the *Special Master's Report and Recommendation* and adopts them wholly as its own.

THEREFORE, IT IS ORDERED that the *Partial Decree* for water right 63-23255 be set aside and an *Amended Partial Decree* be 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 The previously issued *Partial Decree* is replaced and superseded thereby.

DATED June 14, 2004.



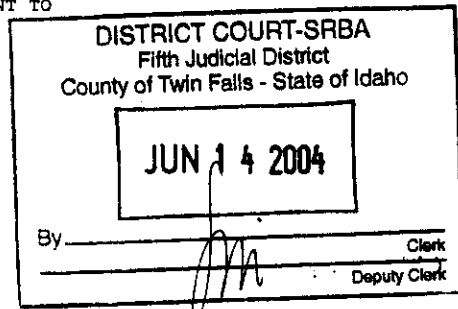
 JOHN M. MELANSON
 Presiding Judge
 Snake River Basin Adjudication

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 63-23255



NAME AND ADDRESS: ALLEN CANE
BONITA CANE
7844 BIRCH LN
NAMPA, ID 83687

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

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

PRIORITY DATE: 06/30/1965

POINT OF DIVERSION: T03N R02W S11 SWNW Within Canyon County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic	01-01 TO 12-31	0.04 CFS
	Stockwater	04-15 TO 10-15	0.02 CFS

PLACE OF USE:	Stockwater	Within Canyon County
	T03N R02W S11	SWNW
	Domestic	Within Canyon County
	T03N R02W S11	SWNW

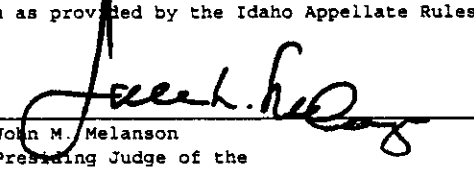
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 June 14, 2004, with sufficient first-class postage to the following:

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

ALLEN CANE
BONITA CANE
7844 BIRCH LN
NAMPA, ID 83687

ORDER

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Deputy Clerk

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line.