

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: 75-10113

A *Partial Decree* was previously issued for the above-captioned right on September 15, 2000. On May 27, 2004, the Court received notice from the Idaho Department of Water Resources requesting that the *Partial Decree's* legal description for the place of use and point of diversion be changed to correct an error, and that the mailing address of the claimant be updated.

The IDWR's *Director's Report* for Subcase 75-10113 was filed on December 7, 1998, and showed that the point of diversion and place of use were located in Lewis County. Lewis County is not located in IDWR Administrative Basin 75, and the township and range numbers listed on the water right are not found in Lewis County. The *Partial Decree* was issued with the same county listing. The listing of Lewis County is a clerical error, and should be changed to Lemhi County. Because IDWR has updated its records to reflect a change in the claimant's current address, the Court finds it appropriate to reflect the change in an *Amended Partial Decree*.

Therefore, IT IS ORDERED, that water right 75-10113 is hereby **amended and decreed** as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 60(a)*.

Dated: June 4, 2004


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

2004 JUN 04 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): 75-10113

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 75-10113 was mailed
on June 04, 2004, with sufficient first-class postage prepaid
to the following:

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

ROSE M HERMAN
13 N DOGWOOD LANE
SALMON, ID 83467
Phone: 208-756-2364

ED HERMAN
13 N DOGWOOD LANE
SALMON, ID 83467
Phone: 208-756-2364

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

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06/04/04

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

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

Water Right 75-10113

2004 JUN -4 PM 3:25
FILED
JUN 4 2004
TWIN FALLS, IDAHO

NAME AND ADDRESS: ED HERMAN
ROSE M HERMAN
13 N DOGWOOD LANE
SALMON, ID 83467

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

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

PRIORITY DATE: 09/01/1978

POINT OF DIVERSION: T22N R22E S19 SESE Within Lemhi 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	05-01 TO 10-15	0.02 CFS

PLACE OF USE:	Stockwater		Within Lemhi County
	T22N R22E S19	SESE	
	Domestic		Within Lemhi County
	T22N R22E S19	SESE	

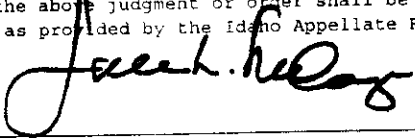
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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