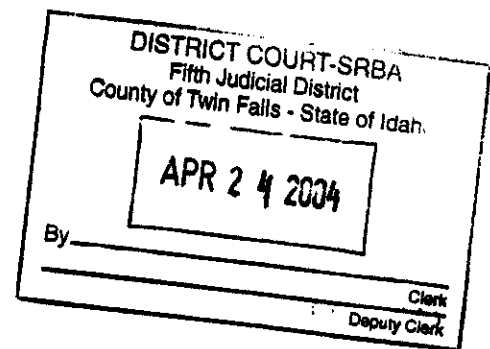




IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA )

ORDER OF AMENDED PARTIAL DECREE

Case No. 39576 )  
\_\_\_\_\_ )

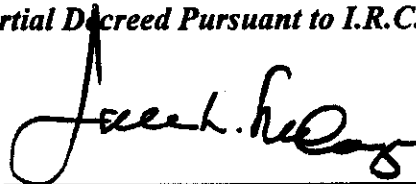
Water Right: 55-10055

On January 30, 1998, this Court entered a *Partial Decree* for Water Right 55-10055 in the name of Joseph E. Black (hereinafter the "Claimant"). The State of Idaho later determined that the points of diversion and place of use for this water right included some State endowment land. The State of Idaho entered into negotiations with the Claimant regarding this water right claim on State endowment land. The end result of these negotiations was a settlement agreement where the Claimant agreed to abandon his water right on State endowment land. In conformance with the settlement agreement, the Claimant executed a letter on November 24, 2003, addressed to the Director of the Idaho Department of Water Resources regarding water right 55-10055. The Claimant stated: "I, Joseph E. Black, Star Route, Box 49, Hammett, Idaho 83627 do intend to abandon and do hereby abandon my water right claims on State endowment land located in: [a legal description]".

On January 28, 2004, the State of Idaho filed a *Motion to Amend Partial Decree* regarding Water Right 55-10055. The purpose of the motion was to incorporate into the *Partial Decree* the Claimant's abandonment of the use of water on State endowment land that occurred subsequent to entry of the *Partial Decree* on January 30, 1998. Pursuant to notice, a hearing was held on the *Motion* on April 20, 2004. The Claimant did not appear.

No one appeared in opposition to the *Motion to Amend Partial Decree* and good cause appearing, IT IS ORDERED that the *Partial Decree* entered for water right 55-10055 be amended as set forth in the attachment *Amended Partial Decree Pursuant to I.R.C.P 54(b)*.

DATED April 21, 2004.



JOHN M. MELANSON  
Presiding Judge  
Snake River Basin Adjudication

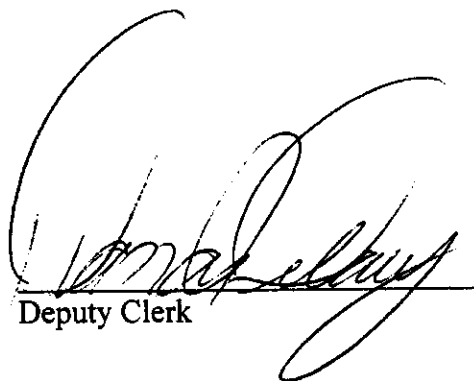
### CERTIFICATE OF MAILING

I certify that a true and correct copy of the **ORDER OF AMENDED PARTIAL DECREE** was mailed on April 21, 2004, with sufficient first-class postage to the following:

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

Joseph E. Black  
Star Route Box 49  
Hammett, ID 83627

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

  
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 )  
Case No. 39576 )

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

Water Right 55-10055

DISTRICT COURT-SRBA  
Fifth Judicial District  
County of Twin Falls - State of Idaho

APR 24 2004

By \_\_\_\_\_  
Clerk  
Deputy Clerk

NAME AND ADDRESS: JOSEPH E BLACK  
STAR RT BOX 49  
HAMMETT, ID 83627

SOURCE: SPRING TRIBUTARY: ROCK CREEK

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 03/01/1930

POINT OF DIVERSION: T09S R02W S14 NESESW Within Owyhee County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Stockwater     | 01-01 TO 12-31 | 0.04 CFS |

PLACE OF USE: Stockwater Within Owyhee County  
T09S R02W S14 SESW

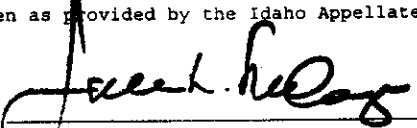
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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