

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED
2004 MAR 31 PM 2 32

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
)
) For Water Right: 72-10163
)

On April 13, 2000, a *Partial Decree* was issued for the above-captioned water right. On November 30, 1999, a *Standard Form 5* with an attached *Amended Director's Report* was filed with this Court noting changes in the "place of use" element for this water right. On November 30, 1999, a *Special Master's Report* was filed recommending a *Partial Decree* be issued according to the elements of the *Standard Form 5* and *Amended Director's Report*. In reviewing the subcase file, this Court determines there were clerical errors made, to wit: The "place of use" elements were not changed according to the *Amended Director's Report*.

THEREFORE, IT IS ORDERED that water right 72-10163 is hereby **decreed** as set forth in the *Amended Partial Decree* pursuant to I.R.C.P. 54(b). The previously issued *Partial Decree* is replaced and superseded thereby.

DATED March 31, 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

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED *M*

AMENDED

2004 MAR 31 PM 2 32

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 72-10163

NAME AND ADDRESS: GERALD D HAWKINS
PATRICIA M HAWKINS
HC 61 BOX 3050
CHALLIS, ID 83226

SOURCE: MORGAN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 1.31 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 2.51 CFS. COMBINED RIGHT NOS.: 72-00161,
72-00162, & 72-10163.

PRIORITY DATE: 05/03/1935

POINT OF DIVERSION: T15N R19E S23 SWNWNE Within Custer County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.31 CFS

PLACE OF USE:	Irrigation	Within Custer County
	T15N R19E S23	SWNE 20.5 NESE 22.0 S24 51.0 Acres Total
		SENE 7.0 NWSW 1.5

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF
OF A COMBINED TOTAL OF 51 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-00161, 72-00162, & 72-10163.

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

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 MAR 31 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): 72-10163

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 72-10163 was mailed
on March 31, 2004, with sufficient first-class postage prepaid
to the following:

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

USDI BLM
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

GERALD D HAWKINS
PATRICIA M HAWKINS
HC 61 BOX 3050
CHALLIS, ID 83226
Phone: 208-879-5497

JULIE MURPHY
Chief Deputy Clerk

CERTIFICATE OF MAILING

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