

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED
2004 FEB 19 PM 3 52

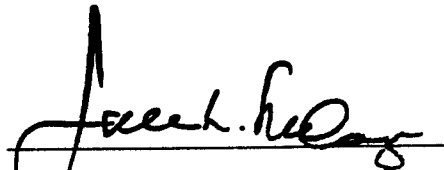
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA) ORDER OF AMENDED PARTIAL
Case No. 39576) DECREES
)
) For water rights: 34-02330B, 34-07080B,
) 34-07121B and 34-12376

Partial Decrees were previously issued for each of the above-captioned water rights on July 15, 2002. On December 8, 2003, the Idaho Department of Water Resources notified the Court in writing of clerical errors with respect to the number of irrigated acreage in each of the *Partial Decrees*. On December 10, 2003, the Court issued a *Notice of Court's Intent to Amend Partial Decrees to Correct Clerical Error; I.R.C.P. 60(a)*. Pursuant to notice, a hearing was held on the Court's *Notice of Intent* on February 18, 2004. No party appeared or filed a pleading in opposition to the *Notice of Intent*.

THEREFORE, IT IS ORDERED, that water rights **34-02330B, 34-07080B, 34-07121B and 34-12376** are hereby amended as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated February 19, 2004.


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

AMENDED

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED

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In Re SRBA)
)
Case No. 39576)
)

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

Water Right 34-12376

NAME AND ADDRESS: EVERETT T ACOR JR.
3196 N YELLOWSTONE HWY
IDAHO FALLS, ID 83401

SOURCE: GROUNDWATER

QUANTITY: 1.25 CFS

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A
COMBINED ANNUAL DIVERSION VOLUME OF 8087.5 AF IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS. 34-02330B, 34-13663,
34-07080B, 34-07121A, 34-07121B, 34-07092, 34-07179, 34-07077,
AND 34-07120.

PRIORITY DATE: 06/01/1977

POINT OF DIVERSION: T05N R26E S29 SENWSE Within Butte County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.25 CFS

PLACE OF USE:	Irrigation		Within Butte County
	T03N R25E S12	NENE 39.0	NWNE 40.0
		SWNE 40.0	SENE 39.0
		NENW 40.0	NWNW 40.0
		SWNW 40.0	SENW 40.0
		NESW 31.0	NWSW 32.0
		SWSW 31.0	SESW 32.0
		NESE 39.0	NWSE 40.0
		SWSE 36.0	SESE 36.0
	R26E S17	NENE 11.0	NWNE 25.0
		NENW 37.0	NWNW 39.0
		SWNW 13.0	SENW 5.0
	S18	NENE 35.0	NWNE 39.0
		SWNE 36.0	SENE 25.0
		NENW 38.0	NWNW 26.0
		SWNW 37.0	SENW 40.0
		NESW 17.0	NWSW 10.0
		NWSE 2.0	
	T04N R25E S35	NENE 40.0	NWNE 40.0
		SWNE 40.0	SENE 40.0
		NESW 20.0	SESW 20.0
		NESE 40.0	NWSE 40.0
		SWSE 40.0	SESE 40.0
	S36	NENE 38.0	NWNE 40.0
		SWNE 40.0	SENE 39.0
		NENW 40.0	NWNW 40.0
		SWNW 40.0	SENW 40.0
		NESW 40.0	NWSW 40.0
		SWSW 40.0	SESW 40.0
		NESE 39.0	NWSE 40.0
		SWSE 40.0	SESE 39.0
	2025.0 Acres Total		

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 2277 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-02330B, 34-13663,

PLACE OF USE (continued)

34-07080B, 34-07121A, 34-07121B, 34-07092, 34-07179, 34-07077,
34-07120, 34-00618, 34-00692C, 34-13659 AND 34-13661.

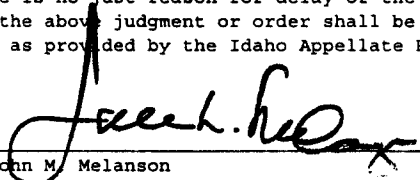
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 87.5 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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
Presiding Judge of the
Snake River Basin Adjudication

2004 FEB 19 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): 34-12376

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 34-12376 was mailed
on February 19, 2004, with sufficient first-class postage prepaid
to the following:

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

STATE OF IDAHO
Represented by:
CLIVE STRONG
NATURAL RESOURCES
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720-0010
Phone: 208-334-2400

EVERETT T ACOR JR.
Represented by:
KENT W FOSTER
PO BOX 50130
IDAHO FALLS, ID 83405
Phone: 208-523-0620

CERTIFICATE OF MAILING

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BIG LOST RIVER WTR USERS ASSN

Represented by:

WILLIAM R HOLLIFIELD

249 THIRD AVENUE EAST (83301)

PO BOX 66

TWIN FALLS, ID 83303-0066

Phone: 208-734-5610

JULIE MURPHY

Chief Deputy Clerk