

DISTRICT COURT-SRBA
TWIN FALLS-CO., IDAHO
FILED
2004 JAN 21 PM 3 34

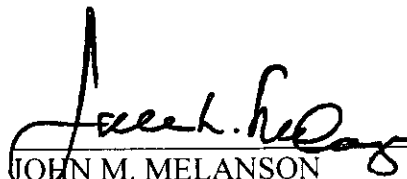
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

n Re SRBA	)	ORDER OF 2ND AMENDED PARTIAL
	)	DECREE TO CORRECT CLERICAL
Case No. 39576	)	ERROR; I.R.C.P. 60(a)
	)	
	)	For Water Right 72-04073

On March 6, 2003, a *Partial Decree* was issued for the above-captioned water right. On March 11, 2003, the Court was notified about a possible clerical error in this *Partial Decree*. After reviewing the subcase file, the Court determines there was a clerical error made in describing the Quantity element in the *Special Master's Recommendation* and the *Partial Decree*. On June 25, 2003, an *Amended Partial Decree* was issued for the above-captioned water right. On October 6, 2003, the Court was notified about a possible clerical error in this *Amended Partial Decree*. After reviewing the subcase file, the Court determines there was a clerical error made in describing the Place of Use element in the *Special Master's Recommendation, Partial Decree* and *Amended Partial Decree*.

Therefore, IT IS ORDERED that water right 72-04073 is hereby **decreed** as set forth in the attached *2nd Amended Partial Decree Pursuant to I.R.C.P. 54(b)*. The previously issued *Partial Decree* and *Amended Partial Decree* is replaced and superseded thereby.

DATED January 21, 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

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

2004 JAN 21 PM 3 34

In Re SRBA)
)
Case No. 39576)
_____)

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

Water Right 72-04073

NAME AND ADDRESS: ROBERT C ST CLAIR
PO BOX 659
DAVENPORT, WA 99122

SOURCE: SPUD CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 1.50 CFS
74.90 AFY

PRIORITY DATE: 04/17/1917

POINT OF DIVERSION: T11N R18E S33 NWSESW Within Custer County
NENWSE
SENWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.50 CFS 74.90 AFY

PLACE OF USE:	Irrigation		Within Custer County
	T11N R18E S33	SWNE 7.5 NWSE 8.1	SENE 2.1 SWSE 3.7
	21.4 Acres Total		

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

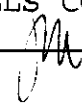
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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 JAN 21 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
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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)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s): 72-04073

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 72-04073 was mailed
on January 21, 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

ROBERT C ST CLAIR
PO BOX 659
DAVENPORT, WA 99122
Phone: 509-725-8825

JULIE MURPHY
Chief Deputy Clerk

CERTIFICATE OF MAILING

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01/21/04