

SEP 11 2001

By _____

Clerk

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 ORDER OF PARTIAL DECREE
TO CORRECT CLERICAL ERROR; I.R.C.P.
60(a)

FOR WATER RIGHT 55-10319A

On April 5, 2000, Special Master Thomas R. Cushman issued a *Special Master's Recommendation to Amend Partial Decree* for water right 55-10319A. No Challenges were filed to Special Master Cushman's recommendation and the time for filing Challenges has now expired.

This Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Recommendation* and wholly adopts them as its own.

Therefore, pursuant to I.R.C.P. 60(a), this Court issues an *Amended Partial Decree Pursuant to I.R.C.P. 54(b)* to comport with the *Special Master's Recommendation to Amend Partial Decree* filed for this water right.

IT IS ORDERED that the *Partial Decree* entered on October 8, 1999, for this water right is hereby **amended** as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b) for Water Right 55-10319A*.

Dated September 11, 2001.



ROGER S. BURDICK

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 Fifth Judicial District County of Twin Falls - State of Idaho	
SEP 11 2001	
By _____	Clerk
_____	Deputy Clerk

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

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

Right Number 55-10319A

NAME & ADDRESS: PETAN COMPANY OF NEVADA INC.
TUSCARORA, NV. 89834

SOURCE: UNNAMED STREAMS TRIBUTARY: JUNIPER CREEK

QUANTITY: 0.40 CFS
3600.00 AFY

USE OF THIS RIGHT WITH RIGHT NO. 55-10319B IS LIMITED TO A TOTAL COMBINED
ANNUAL VOLUME OF 26.8 AF FOR STOCKWATER FROM STORAGE.
USE OF THIS RIGHT WITH RIGHT NO. 55-02027 IS LIMITED TO A TOTAL COMBINED
ANNUAL VOLUME OF 775 AF FOR IRRIGATION FROM STORAGE.

FACILITY VOLUME 5000 AF.

PRIORITY DATE: 07/01/1923

POINT OF DIVERSION: T16S R01W S04 SESW Within Owyhee County
SWSE

THE STORAGE OF WATER UNDER THIS RIGHT IS IN THE JUNIPER BASIN RESERVOIR
LOCATED IN:

T16S R01W S04	SESW	SWSE	SESE
S08	NESE	SESE	
S09	NENE	NWNE	SWNE
	SENE	NENW	NWNW
	SWNW	SESW	NESW
	NWSW	SWSW	SESW
	NESE	NWSE	
S10	NWNW	SWNW	NWSW
S16	NENW	NWNW	SWNW
	NWSW	SWSW	
S17	NENE	SWNE	SENE
	NESW	SWSW	SESW
	NESE	NWSE	SWSE
	SESE		
S20	NENE	NENW	NWNW
S21	NWNW		

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION STORAGE	01-01 TO 12-31	3200.00 AFY
STOCKWATER STORAGE	01-01 TO 12-31	400.00 AFY
STOCKWATER FROM STORAGE	01-01 TO 12-31	26.80 AFY
STOCKWATER	01-01 TO 12-31	.04 CFS
IRRIGATION FROM STORAGE	04-01 TO 10-31	775.00 AFY

PLACE OF USE:

IRRIGATION FROM STORAGE Within Owyhee County

T15S R01W S32	NENE 14	NWNE 35
	SWNE 35	SENE 30
	NESE 32	NWSE 9

155 Acres Total

SRBA PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
FOR WATER RIGHT 55-10319A
G:\55MRR\10319A.REC

USE OF THIS RIGHT WITH RIGHT NO. 55-02027 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 155 ACRES IN A SINGLE IRRIGATION SEASON.

STOCKWATER
T16S R01W S16

NENW
SWNW
SWSW

NWNW
NWSW

Within Owyhee County

STOCKWATER FROM STORAGE
T15S R01W S32

NENE
SWNE
NESE
NENW
SWNW
SWSW

NWNE
SENE
NWSE
NWNW
NWSW

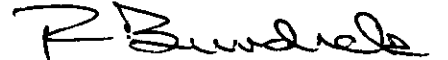
T16S R01W S16

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 appeal may be taken as provided by the Idaho Appellate Rules.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

2001 SEP 11 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)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s): 55-10319A

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 55-10319A was mailed
on September 11, 2001, with sufficient first-class postage prepaid
to the following:

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

PETAN COMPANY OF NEVADA INC.
TUSCARORA, NV 89834

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
09/11/01