

RECEIVED

MAY 23 2001

Snake River Resource

2001 MAY 24 PM 1:28

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

) FOR WATER RIGHT 51-12135
)
)
)
)

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

On May 10, 2001, the Court received correspondence from the Bureau of Land Management stating that the Special Master's Report and Recommendation filed on February 1, 2001 for the above-captioned water right had an error in the legal description under place of use T11, RO7E, S23, SWNW. The correspondence identified that the description was listed twice which occurred in the transposition from the Standard Form 5 to the *Special Master's Report and Recommendation* and ultimately in the *Partial Decree*.

Pursuant to I.R.C.P. 60(a), given the nature of the clerical error the Court can find no reason to delay entry of the *Amended Partial Decree* in order to correct the clerical error.

THEREFORE IT IS ORDERED that the *Partial Decree* entered on April 2, 2001, is hereby amended as set forth in the attached *Amended Partial Decree* pursuant to I.R.C.P. 54(b).

DATED: MAY 24 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

In Re SRBA)
)
Case No. 39576)
)

AMENDED
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 51-12135

2001 MAY 24 PM 1:28
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: USDI BLM
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE, ID 83709-1657

SOURCE: BRUNEAU RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 06/28/1934

POINT OF DIVERSION: T10S R07E S15 SWSNW (Instream Ending Point) Within Owyhee County
T12S R07E S33 SWSNW (Instream Beginning Point)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.02 CFS

PLACE OF USE:	Stockwater	Within Owyhee County
	T10S R07E S14	SESW
		SESE
	S15	SESW
		SESE
	S23	SESW
		SESE
	S24	SESW
	S26	SESE
		SESW
		SESE
	S35	SESW
		SESE
	T11S R07E S02 LOT 01 (NENE)	SESW
		SESE
	S11	SESW
		SESE
	S14	SESW
		SESE
	S22	SESW
	S23	SESE
		SESW
	S27	SESE
		SESW
	S34	SESW
		SESE

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

T12S R07E S03 LOT 03 (NENW)	
	SESW
	SESW
S10	SESW
	SESW
	SESW
S15	SESW
	SESW
	SESW
S21	SESW
S22	SESW
	SESW
	SESW
S28	SESW
	SESW
	SESW
	SESW
S33	SESW
	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.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the AMENDED ORDER OF PARTIAL DECREE TO CORRECT CLERICAL ERROR I.R.C.P. 60(A) was mailed on May 24, 2001, with sufficient first-class postage to the following:

STATE OF IDAHO

Represented by:
PETER J. AMPE
PO BOX 83720
BOISE, ID 83720-0010
Phone: 208-334-2400

USDI BLM

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

DIRECTOR OF IDWR

PO BOX 83720
BOISE, ID 83720-0098