

AUG 19 2003

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Department of Water Resources

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
) TO CORRECT CLERICAL ERROR; I.R.C.P.
) 60(a)

) For Water Right No. 51-12917
)

A *Partial Decree* was issued for the above-captioned water right on January 7, 2003. A *Special Master's Report and Recommendation* based on elements as stipulated in a *Standard Form 5, (SF-5)*, was filed on November 25, 2002. Subsequently, it was brought to the attention of the Court that the *Partial Decree* omitted the $\frac{1}{4}$ $\frac{1}{4}$ section description in the point of diversion element for the instream beginning point. The Court finds the omission to be the result of a clerical error.

Therefore, pursuant to I.R.C.P. 60(a), IT IS ORDERED that the *Partial Decree* previously issued for water right 51-12917 on January 7, 2003, is hereby amended as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated this 19 day of August, 2003.

K Burdick
Presiding Judge
Snake River Basin Adjudication

AUG 19 2003

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

AMENDED

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 51-12917

By _____

Clerk
Deputy Clerk

NAME AND ADDRESS: C E BRACKETT CATTLE CO
PO BOX 111
ROGERSON, ID 83302

SOURCE: UNNAMED STREAM TRIBUTARY: POISON CREEK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 05/05/1899

POINT OF DIVERSION: T16S R10E S29 NENE (Instream Ending Point) Within Owyhee County
S32 LOT 1 (NENE) (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
	T16S R10E S29	SENE
		NESE
	S32 LOT 1 (NENE)	SESE

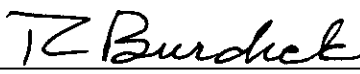
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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