

Department of Water Resources

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

2003 JUL 29 PM 3 36

**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 DECREES; I.R.C.P. 60(a)

For Water Rights Listed on Exhibit A

On April 23, 2003, ***Partial Decrees*** were issued for the water rights listed on Exhibit A attached. On July 17, 2003, the Idaho Department of Water Resources notified the Court about partial omissions in the descriptions of the Source element. In reviewing these water rights, the Court determines these omissions were the result of clerical errors.

Therefore, IT IS ORDERED that the water rights listed on the attached Exhibit A are hereby **decreed** as set forth in the attached ***Amended Partial Decrees Pursuant to I.R.C.P. 54(b)***. The previously issued ***Partial Decrees*** are replaced and superseded thereby.

DATED July 29, 2003.

Roger Burdick

ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

EXHIBIT A

Subcase Nos:

63-05121
63-05163
63-05265
63-05267
63-05268
63-05269
63-05270
63-07249
63-07256
63-07263
63-07659
63-07660
63-07866
63-07877
63-07891
63-08206
63-08207
63-08238
63-08370
63-09168
63-09683
63-09684
63-09699
63-09750

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 63-07256

NAME AND ADDRESS: NITA M BAKER
1010 E 9TH N
MOUNTAIN HOME, ID 83647

SOURCE: SPRINGS TRIBUTARY: SOUTH FORK BOISE RIVER

QUANTITY: 0.04 CFS
5.10 AFY

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

PRIORITY DATE: 08/13/1969

POINT OF DIVERSION: T03N R10E S10 NENWNE Within Elmore County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 09-30	0.02 CFS 4.50 AFY
	Domestic	01-01 TO 12-31	0.02 CFS 0.60 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE MAY 1 AND AFTER SEPTEMBER 30 UNDER THIS REMARK
IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY
OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE
A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: Irrigation Within Elmore County
T03N R10E S10 NWNE 1.0
1.0 Acres Total
Domestic Within Elmore County
T03N R10E S10 NWNE

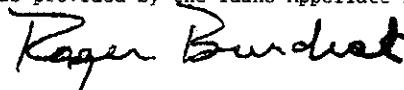
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC
USE 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