

Department of Water Resources

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

2003 JUL 29 PM 4 31

**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 24, 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 The previously issued *Partial Decrees* are replaced and superseded thereby.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:

63-00095
63-00096B
63-00100
63-00101
63-00102
63-00103
63-00104
63-00105
63-00106
63-00107
63-00114
63-00115
63-00116
63-00118A
63-00118B
63-00119
63-02063
63-02064
63-02144A
63-02237
63-02245
63-02336B
63-02477
63-02532
63-02539
63-02554
63-02613
63-03334
63-03335
63-03426
63-03467
63-03500B
63-03609
63-04005D
63-04005E
63-04005F
63-04005J
63-04005K
63-04005N
63-04047
63-04139
63-04221
63-04225
63-04286
63-04746
63-04811
63-04859
63-04941
63-04978

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 63-04005J

NAME AND ADDRESS: EARLE STONE
MARY STONE
275 S 5TH EAST
MOUNTAIN HOME, ID 83647

SOURCE: SOUTH FORK BOISE RIVER TRIBUTARY: BOISE RIVER

QUANTITY: 0.15 CFS

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

PRIORITY DATE: 06/01/1911

POINT OF DIVERSION: T03N R10E S11 LOT 4 (NWSW) Within Elmore County
S12 LOT 9 (SNNWSW)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-15	0.15 CFS
	Stockwater	01-01 TO 12-31	0.05 CFS

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 APRIL 15 AND AFTER OCTOBER 15 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 LOT 7 (NWSE) 13.0 SWSE 4.3
17.3 Acres Total

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER 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