

APR 12 PM 3:29
DISTRICT COURT-CRBA
TWIN FALLS, IDAHO

**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)
) **AMENDED ORDER OF PARTIAL DECREE**
Case No. 39576)
) **For Water Right 31-02028A**

On April 8, 2002, an *Order of Partial Decree* was erroneously issued for water right 35-02028A instead of water right 31-02028A.

On February 7, 2002, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 31-02028A is hereby **decreed** as set forth in the *Partial Decree Pursuant to I.R.C.P. 54(b)* issued April 8, 2002.

DATED 4/12/02



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the AMENDED ORDER OF PARTIAL DECREE was mailed on April 12, 2002, with sufficient first-class postage to the following:

Idaho Department of Lands

Represented by:

Steven J Schuster

PO Box 83720

Boise, Id 83720-0010

Webster Ranch

HC 61 Box 1010

Dubois, ID 83423

IDWR Document Depository

PO Box 83720

Boise, ID 83720-0098


Deputy Clerk

RECEIVED

APR - 9 2002

Department of Water Resources

2002 APR -8 PM 1:43

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

)
)
)
)

ORDER OF PARTIAL DECREE

For Water Right 35-02028A

On February 7, 2002, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 35-02028A is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED 4/8/02



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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 31-02028A

2002 APR -8 PM 1:43

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: WEBSTER RANCH
HC 61 BOX 1010
DUBOIS, ID 83423

SOURCE: HOOLIE SPRINGS TRIBUTARY: BEAVER CREEK

QUANTITY: 1.00 CFS

PRIORITY DATE: 10/25/1907

POINT OF DIVERSION: T11N R35E S04 SWNW Within Clark County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	1.00 CFS

PLACE OF USE:	Stockwater		Within Clark County
	T10N R35E S01	SENW	
	S03	NESW	
	S10	SESE	
	S11	NWNW	
	S12	NWSE	
	S14	NESE	
	S15	SESE	
	R36E S07	NESW	
	S18	NWSE	
	S19	SENW	
	T11N R35E S08	SESW	NESE
	S09	SENE	NENW
		NESE	
	S10	SWNW	
	S15	NENW	SWSE
	S16	NESE	
	S17	SWNE	NWSW
	S19	NWSW	
	S20	SENW	
	S21	NWSW	
	S22	SENW	
	S23	SWNW	
	S24	SESW	
	S26	SENW	NESW
	S27	SENE	NWNW
	S28	NENE	NESE
	S31	SWNE	
	S33	SWNW	SWSW
	S34	SWSW	
	S35	NWSW	
	S36	NWSW	

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

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

OTHER PROVISIONS (continued)

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

2002 APR 08 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): 31-02028A

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 31-02028A was mailed
on April 08, 2002, with sufficient first-class postage prepaid
to the following:

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

IDAHO DEPARTMENT OF LANDS

Represented by:
STEVEN J. SCHUSTER
PO BOX 83720
BOISE, ID 83720-0010
Phone: 208-332-3542

WEBSTER RANCH
HC 61 BOX 1010
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Phone: 208-374-5452


ROBBIN GLATZ
Chief Deputy Clerk

CERTIFICATE OF MAILING

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04/08/02