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Department of Water Resources

2001 MAY - 1 PM 12: 22

DIST. CLERK SRBA
FILED
JUL 10 2001
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

Case No. 39576

Subcase No. 37-13020

ORDER SETTING ASIDE PARTIAL
DECREE; ORDER OF AMENDED
PARTIAL DECREE

On March 19, 2001, Special Master Brigitte Bilyeu issued her *Recommendation on Motion to Set Aside Partial Decree*. No Challenges were filed to the *Recommendation*, and the time for filing Challenges has expired.

IT IS ORDERED that, pursuant to I.R.C.P. 54(b), the *Partial Decree* for water right 37-13020 issued on January 12, 2001, is hereby **set aside**. Water right 37-13020 is hereby **decreed** as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED MAY 01 2001.



ROGER BURDICK
Presiding Judge of the
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

AMENDED

In Re SRBA)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 37-13020

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DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: MAX WILSON
RT 1 BOX 2045
CORRAL, ID 83322

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Department of Water Resources

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

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

PRIORITY DATE: 08/20/1936

POINT OF DIVERSION: T01S R13E S06 NENESE Within Camas County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Domestic 1 HOME	01-01 TO 12-31	0.04 CFS
Stockwater	01-01 TO 12-31	0.02 CFS

PLACE OF USE: Stockwater Within Camas County
T01S R13E S06 NESE

Domestic Within Camas County
T01S R13E S06 NESE

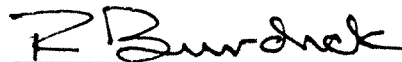
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 true and correct copies of the **ORDER SETTING ASIDE PARTIAL DECREE; ORDER OF AMENDED PARTIAL DECREE** and the **AMENDED PARTIAL DECREE** were mailed on May 1, 2001, with sufficient, first-class postage to the following:

Idaho Department of Water Resources
PO Box 83720
Boise, ID 83720-0098

US Department of Justice
Environment & Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

Max Wilson
Rt 1 Box 2045
Corral, ID 83322



Deputy Clerk of the Court

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