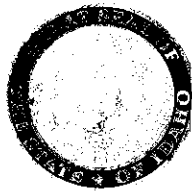


RECEIVED

MAR 10 2003

Department of Water Resources

DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
STATE OF IDAHO



ROGER BURDICK
PRESIDING JUDGE
(208) 736-3011
FAX (208) 736-2121

SRBA CHAMBERS
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

March 7, 2003

Attention Water Right Claimant,

Enclosed is an *Amended Partial Decree* which amends and supercedes the partial decree previously issued for your water right to contain the following provision:

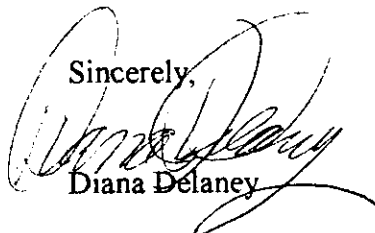
Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations after October 18, 1977.

This water right shall be administered as being from a separate source pursuant to Basin 65 General Provision No. 3. If the holder of this right seeks to change the right pursuant to Idaho Code § 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in event of injury.

The provision was recommended in the *Special Master's Report and Recommendation* to be included in the *Partial Decree* for your water right, but was inadvertently omitted due to a clerical error.

Should you have any questions regarding this matter, please contact the Clerk of the Court for the SRBA at (208) 736-3011.

Sincerely,


Diana Delaney

DD:sb
Enc.

OTHER PROVISIONS (continued)

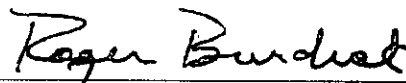
TERMS OF THIS DECREE SHALL BE SUBJECT TO THE FOLLOWING PROVISIONS:

THAT WHEN THE NATURAL FLOW OF SAID LAKE FORK CREEK AS MEASURED AT THE GAUGING STATION ABOVE SAID RESERVOIR SHALL FIRST FALL BELOW (90) CUBIC FEET PER SECOND DURING THE IRRIGATION SEASON, THEN THERE SHALL BE RELEASED FROM SAID RESERVOIR (DURING THE PERIOD WHEN SUCH NATURAL FLOW SHALL REMAIN BELOW NINETY (90) CUBIC FEET PER SECOND) FOR THE BENEFIT OF RIGHTS PRIOR TO THE RIGHTS OF SAID LAKE IRRIGATION DISTRICT, AN ADDITIONAL AMOUNT OF WATER FROM SAID RESERVOIR EQUAL TO THIRTY PERCENT OF THE WATER FLOWING INTO SAID RESERVOIR AS MEASURED AT SAID GAUGING STATION. THE RELEASE OF ADDITIONAL WATER ON SUCH THIRTY PERCENT BASIS SHALL BE FOR THE FIRST TEN DAYS OF EACH IRRIGATION SEASON WHEN THE WATER FLOWING INTO SAID RESERVOIR SHALL BE UNDER NINETY (90) CUBIC FEET PER SECOND; THEN FOR THE NEXT FIFTEEN DAYS DURING WHICH THE INFLOW INTO SAID RESERVOIR SHALL BE BELOW NINETY (90) CUBIC FEET PER SECOND THERE SHALL BE RELEASED EACH DAY FROM SAID RESERVOIR, FOR THE BENEFIT OF SAID PRIOR RIGHTS, AN AMOUNT EQUAL TO FORTY PERCENT OF THE NATURAL INFLOW INTO SAID RESERVOIR AS MEASURED AT SAID GAUGING STATION; AND THEREAFTER DURING EACH IRRIGATION SEASON, AFTER THE EXPIRATION OF SAID TEN-DAY PERIOD AND SAID FIFTEEN-DAY PERIOD, WHEN THE INFLOW INTO SAID RESERVOIR SHALL BE BELOW NINETY (90) CUBIC FEET PER SECOND, THERE SHALL BE RELEASED FROM SAID RESERVOIR, FOR THE BENEFIT OF SAID PRIOR RIGHTS, AN ADDITIONAL AMOUNT OF WATER EQUAL TO FIFTY PERCENT OF THE WATER FLOWING INTO SAID RESERVOIR AS MEASURED AT SAID GAUGING STATION. PROVIDED, HOWEVER, THAT THE TOTAL AMOUNT OF THE WATERS DURING EACH IRRIGATION SEASON TO BE RELEASED FROM SAID RESERVOIR FOR THE BENEFIT OF SAID PRIOR RIGHTS SHALL NOT EXCEED 1,390 ACRE FEET, AND WHEN SAID 1,390 ACRE FEET, IN ANY SEASON, HAS BEEN RELEASED FOR THE BENEFIT OF SAID PRIOR RIGHTS, THEN THE OBLIGATION TO RELEASE ANY WATER FROM SAID RESERVOIR FOR THE BENEFIT OF SAID PRIOR RIGHTS SHALL CEASE.

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