

Important Information About Your Water Right

September 16, 2002

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SEP 17 2002

Department of Water Resources

Robert A Thomas
Kelly A Thomas
Linda K Ferris
Ben A Thomas Jr
HC 79 Box 2060
Murphy, ID 83650

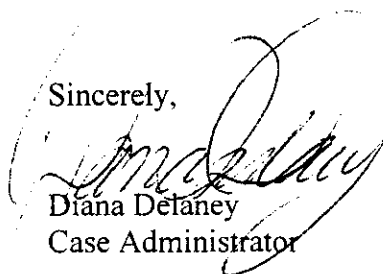
Dear Water Right Claimant(s):

Attached to this letter is a copy of an **Order Amending Irrigation Period of Use Element in Partial Decree, Nunc Pro Tunc** (hereinafter "**Order**") for water right number 57-2316. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of this water right. If you are not the current owner, please contact IDWR immediately at:

Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706
800-451-4129

The purpose of the **Order** is to set forth beginning and ending dates for the irrigation period of use for this water right. As stated in the face of the **Order**, this action was necessary following the decision of the Idaho Supreme Court in *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998). This **Order** also incorporates into the **Partial Decree** an express statement that the **Partial Decree** is subject to such general provisions necessary for the definition or for the efficient administration of the water right. This express statement is necessary to comply with the requirements of Idaho Code section 42-1412(6). This **Order**, in combination with the **Partial Decree** that was issued for this water right on June 23, 1997, sets forth all of the elements of your water right. The Snake River Basin Adjudication (SRBA) Court suggests that you keep this document in a safe location together with a copy of the **Partial Decree** to show evidence of this water right. The original of this **Order** and the original of the **Partial Decree** for this water right are on file with SRBA Court. If you do not have a copy of the original **Partial Decree**, one can be obtained by contacting the SRBA Court at (208) 736-3011. Please note that the **Order** is entered **Nunc Pro Tunc**, meaning that the **Order** will be treated as if it were issued on the same date that the **Partial Decree** was originally issued.

Sincerely,



Diana Delaney
Case Administrator

	)	Water Right 57-2316
In Re SRBA	)	
	)	
	)	ORDER AMENDING IRRIGATION PERIOD OF USE
	)	ELEMENT IN PARTIAL DECREE and
Case No. 39576	)	INCORPORATING INTO PARTIAL DECREES AN
	)	EXPRESS STATEMENT REGARDING GENERAL
	)	PROVISIONS, <i>NUNC PRO TUNC</i>

THEREFORE, IT IS ORDERED that the period of use element for the irrigation portion of the above-captioned water right is hereby amended and decreed as:

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 a point in time no later than the entry of a final unified decree. I.C. section 42-1412(6).

This order is being entered *nunc pro tunc* as of the date the ***Partial Decree*** was issued and is not intended to modify subsequent administrative changes for the water right, if any, which occurred following entry of the ***Partial Decree***.

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.

Dated September 16, 2002.

A handwritten signature in dark ink, appearing to read "Roger Burdick", is written over a horizontal line.

ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

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JUN 25 1997

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

Department of Water Resources
Adjudication Bureau

In Re SRBA)
Case No. 39576)
_____)

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

1997 JUN 23 AM 11: 2

Water Right 57-02316

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

NAME & ADDRESS: ROBERT A THOMAS
KELLY A THOMAS
BEN A THOMAS JR
LINDA K FERRIS
HC 79 BOX 2060
MURPHY ID 83650

SOURCE: CASTLE CREEK, NORTH FORK TRIBUTARY: CASTLE CREEK

QUANTITY: 10.00 CFS
40.0 AFY

PRIORITY DATE: 05/31/1940

POINT OF DIVERSION: T06S R02W S34 NWENW Within OWYHEE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION STORAGE	01-01 12-31	40.0 AFY
	IRRIGATION FROM STORAGE	Irrigation Season	40.0 AFY
	DIVERSION TO STORAGE	01-01 12-31	10.00 CFS

PLACE OF USE:	IRRIGATION FROM STORAGE	Within OWYHEE County			
	T07S R02W S05	SWNW 0.6	NWSW 7.3	SWSW 4.6	SESW 5.4
		SWSE 8.4			
	S08	NWNE 5.0			
	31.3 ACRES TOTAL				

DATED:


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

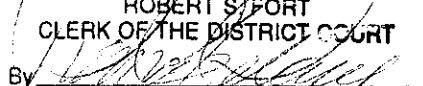
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DATED:


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b) and correct copy of the original on file in the above entitled action.

State of Idaho
County of Twin Falls ss.
I hereby certify the foregoing to be a full,
true and correct copy of the original on
file in the above entitled action.
ROBERT S. FORT
CLERK OF THE DISTRICT COURT
By 
DEPUTY CLERK

