

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
DEC - 5 2002	
By _____	Clerk
_____	Deputy Clerk

**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 DECREE

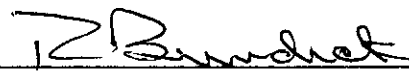
For Water Right 57-01123

On October 25, 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 the *Partial Decree* for water right 57-01123 is hereby **amended** as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED December 5, 2002.



 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

AMENDED

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 57-01123

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

DEC - 5 2002

By _____ Clerk
Deputy Clerk

NAME AND ADDRESS: J LAVAR & JANET B YOUNG
HC 79 BOX 58
MELBA, ID 83641

SOURCE: WASTE WATER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.80 CFS

USE OF THIS RIGHT WITH RIGHT NOS. 57-00006, 57-01119, 57-00281,
57-01117 & 57-10911 IS LIMITED TO A TOTAL COMBINED DIVERSION
RATE OF 6.26 CFS.

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

PRIORITY DATE: 03/15/1915

POINT OF DIVERSION: T01S R03W S12 NWSE Within Owyhee County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.80 CFS
	Stockwater	01-01 TO 12-31	0.16 CFS

PLACE OF USE: Irrigation Within Owyhee County
T01S R02W S06 LOT 11 (NWSW) 36.0 LOT 10 (SWSW) 36.0
R03W S01 NESE 33.0 SWSE 38.0
SESE 38.0
181.0 Acres Total

Stockwater Within Owyhee County
Same as Irrigation

USE OF THIS RIGHT WITH RIGHTS LISTED ABOVE IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 313 ACRES IN A SINGLE
IRRIGATION SEASON.

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

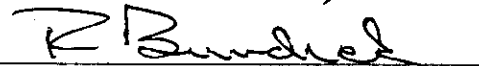
RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR THE SAME
PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE, WHICH
WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A LATER
DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 02 REPORT FOR
THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE
WILL CONTAIN REMARKS LIMITING THE COMBINED USE OF THIS RIGHT AND
THE BASIN 02 RIGHTS.

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

2002 DEC 06 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)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 57-01123

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 57-01123 was mailed
on December 06, 2002, with sufficient first-class postage prepaid
to the following:

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

J LAVAR & JANET B YOUNG
HC 79 BOX 58
MELBA, ID 83641

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
12/05/02

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)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 57-01123

1997 DEC 15 AM 10:50

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS: J LAVAR YOUNG
JANET B YOUNG
HC 79 BOX 58
MELBA ID 83641

SOURCE: WASTE WATER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.8 CFS

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

USE OF THIS RIGHT WITH RIGHT NOS. 57-00281, 57-00006,
57-01117, 57-10911 & 57-01119 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 6.26 CFS

PRIORITY DATE: 03/15/1915

POINT OF DIVERSION: T01S R03W S12 NWSE Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		Irrigation Season	0.8 CFS
STOCKWATER		01-01 12-31	0.16 CFS

PLACE OF USE:	IRRIGATION	Within Owyhee County
	T01S R02W S06 Lot 11 (NWSW)36 Lot 10 (SWSW)36	
	R03W S01 NESE 33 SWSE 38	SESE 38
	181 ACRES TOTAL	
	STOCKWATER	Within Owyhee County
	T01S R02W S06 Lot 11 (NWSW) Lot 10 (SWSW)	
	R03W S01 NESE SWSE	SESE

USE OF THIS RIGHT WITH RIGHTS LISTED ABOVE IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 313 ACRES IN A SINGLE
IRRIGATION SEASON.

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.

RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR THE
SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE,
WHICH WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A
LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 02 REPORT
FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED
ABOVE WILL CONTAIN COMBINED USE LIMITATIONS FOR THIS RIGHT AND
THE BASIN 02 RIGHTS.

RULE 54(b) CERTIFICATE

1997 DEC 15 AM 10: 51

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.



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