

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

2003 JAN 29 PM 2 41

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 51-12905

On January 7, 2003, a *Partial Decree* was issued for the above-captioned water right. On January 28, 2003, the Idaho Department of Water Resources notified the Court about a possible clerical error. In reviewing the *Standard Form 5* filed November 1, 2002, the Court determines there was a clerical error made in describing the Place of Use element in the *Special Master's Recommendation* and the *Partial Decree*.

Therefore, IT IS ORDERED that water right 51-12905 is hereby **decreed** as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b)*. The previously issued *Partial Decree* is replaced and superseded thereby.

DATED January 29, 2003.



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

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

2003 JAN 29 PM 2 41

Water Right 51-12905

NAME AND ADDRESS: C E BRACKETT CATTLE CO
PO BOX 111
ROGERSON, ID 83302

SOURCE: UNNAMED STREAM TRIBUTARY: JARBIDGE RIVER EAST FORK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 05/05/1999

POINT OF DIVERSION: T16S R10E S30 NWSE (Instream Ending Point) Within Owyhee County
S31 LOT 1 (NENE) (Instream Beginning Point)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.02 CFS

PLACE OF USE: Stockwater Within Owyhee County
T16S R10E S30 NWSE
SESE
S31 LOT 1 (NENE)

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

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JAN - 8 2003

Department of Water Resources

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FILED _____

2003 JAN 7 AM 10 26

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
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In Re SRBA

Case No. 39576

)
) **ORDER OF PARTIAL DECREE**
)
) **For Water Right 51-12905**
)

On 11-25-2002, 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 water right 51-12905 is hereby **decreed** as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED January 7, 2003



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

2003 JAN 7 AM 10 26

PAGE 1
Jan-07-2003