

SEP 12 2002

Department of Water Resources

772 SEP 10 AM 10:28

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

)

Subcase 35-7603C

)

Case No. 39576

)

CORRECTED ORDER AMENDING
PARTIAL DECREE TO CORRECT
CLERICAL ERROR PURSUANT TO I.R.C.P.
60(a)

On April 17, 2001, the Idaho Department of Water Resources filed a *Notice of Completed Administrative Proceeding* notifying the Court of a completed transfer pursuant to I.C. § 42-222.

On November 21, 2001, Special Master Terrence Dolan issued a *Special Masters Report* for Water Right 35-7603C. No challenges were filed, and this Court entered a *Partial Decree* on January 31, 2002.

The *Partial Decree* entered January 31, 2002, did not reflect the correct place of use as described in this April 17, 2001, *Notice of Completed Administrative Proceeding*. The Court finds the discrepancy to be the result of a clerical error.

Therefore, pursuant to I.R.C.P. 60(a), IT IS ORDERED, that the *Partial Decree* entered for water right 35-7603C on January 31, 2002, is hereby amended as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b)*.

IT IS SO ORDERED.

DATED: September 10, 2002



ROGER S. BURDICK

Presiding Judge

Snake River Basin Adjudication

7002 AUG -8 PM 1: 26

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

R Burdick

PAGE 1
Aug-07-2002

CERTIFICATE OF MAILING

I certify that a true and correct copy of the **CORRECTED ORDER AMENDING PARTIAL DECREE PURSUANT TO I.R.C.P. 60(a)** was mailed on September 10, 2002, with sufficient first-class postage to the following:

Roy E Hincks

Represented by:

Jeffrey C. Fereday

PO Box 2720

Boise, ID 83701-2720

IDWR Document Depository

PO Box 83720

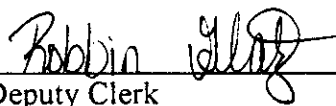
Boise, ID 83720-0098

Chief, Natural Resources Division

Office of Attorney General

PO Box 44449

Boise, ID 83711-4449


Deputy Clerk

RECEIVED

AUG - 9 2002

Department of Water Resources

AUG - 8 PM 1: 26
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

) Subcase 35-7603C
)

Case No. 39576
_____)

) ORDER AMENDING PARTIAL DECREE TO
) CORRECT CLERICAL ERROR PURSUANT
) TO I.R.C.P. 60(a)

On April 17, 2001, the Idaho Department of Water Resources filed a *Notice of Completed Administrative Proceeding* notifying the Court of a completed transfer pursuant to I.C. § 42-222.

On November 21, 2001, Special Master Terrence Dolan issued a *Special Masters Report* for Water Right 35-7603C. No challenges were filed, and this Court entered a *Partial Decree* on January 31, 2002.

The *Partial Decree* entered January 31, 2002, did not reflect the correct place of use as described in this April 17, 2001, *Notice of Completed Administrative Proceeding*. The Court finds the discrepancy to be the result of a clerical error.

Therefore, pursuant to I.R.C.P. 60(a), IT IS ORDERED, that the *Partial Decree* entered for water right 36-15477 on January 31, 2002, is hereby amended as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b)*.

IT IS SO ORDERED.

DATED: August 8th, 2002



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

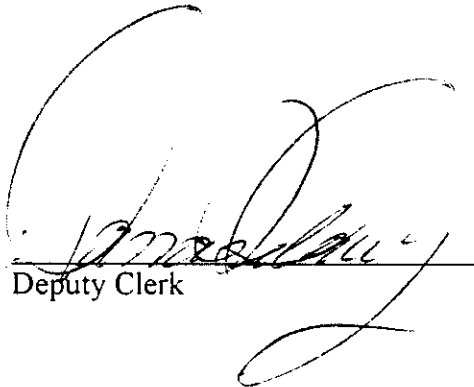
CERTIFICATE OF MAILING

I certify that a true and correct copy of the **ORDER AMENDING PARTIAL DECREE PURSUANT TO I.R.C.P. 60(a)** was mailed on August _____, 2002, with sufficient first-class postage to the following:

Roy E Hincks
Represented by:
Jeffrey C. Fereday
PO Box 2720
Boise, ID 83701-2720

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

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



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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 35-07603C

2002 AUG -8 PM 1:26
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

NAME AND ADDRESS: ROY E HINCKS
2851 W 900 S
STERLING, ID 83210

SOURCE: GROUNDWATER

QUANTITY: 0.93 CFS
316.00 AFY

USE OF THIS RIGHT WITH RIGHT 35-02727A IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.12 CFS.

PRIORITY DATE: 02/15/1986

POINT OF DIVERSION: T04S R31E S17 NESWNW Within Bingham County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.93 CFS 316.00 AFY

PLACE OF USE:	Irrigation	Within Bingham County
	T04S R31E S17	NWNE 40.0 SWNE 36.0
		NENW 39.0 NWNW 7.0
		SENE 32.0
	S18	SENE 27.0
	181.0 Acres Total	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 79 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

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 JAN 31 PM 3:32

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

)
) **ORDER OF PARTIAL DECREE**

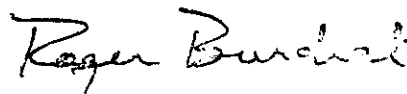
)
) **For Water Right 35-07603C**

On November 21, 2001, 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 35-07603C is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED January 31, 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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 35-07603C

2002 JAN 31 PM 4:00

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: ROY E HINCKS
2851 W 900 S
STERLING, ID 83210

SOURCE: GROUNDWATER

QUANTITY: 0.93 CFS
316.00 AFY

USE OF THIS RIGHT WITH RIGHT 35-02727A IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.12 CFS.

PRIORITY DATE: 02/15/1986

POINT OF DIVERSION: T04S R31E S17 NESWNW Within Bingham County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.93 CFS
			316.00 AFY

PLACE OF USE:	Irrigation	Within Bingham County
	T04S R31E S17	SWNE 36.0
		SENE 27.0
		NENW 39.0
		NWNW 7.0
		SENE 32.0
	181.0 Acres Total	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 79 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

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

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

2002 JAN 29 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)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s): 35-07603C

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 35-07603C was mailed
on January 29, 2002, with sufficient first-class postage prepaid
to the following:

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

ROY E HINCKS
Represented by:
JEFFREY C. FEREDAY
PO BOX 2720
BOISE, ID 83701-2720
Phone: 208-388-1200

STATE OF IDAHO
Represented by:
NATURAL RESOURCES DIV CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
PO BOX 44449
BOISE, ID 83711-4449

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
01/29/02