

RECEIVED

NOV 15 2000

Department of Water Resources

2000 NOV 14 AM 11:43

FILED
T-SRBA
TWIN FALLS CO., IDAHO

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

)

ORDER OF PARTIAL DECREE

)

Case No. 39576

)

Fort Water Right 33-10900

)

On August 30, 2000, an *Amended Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Amended 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 *Amended Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 33-10900 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED NOV 14 2000.



BARRY WOOD

Administrative District Judge and
Presiding Judge of the
Snake River Basin Adjudication

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OCT 15 2001

Department of Water Resources

2001 OCT 11 AM 9:17

DISTRICT COURT-SRBA
TWINFALLS CO. IDAHO
FILED *[Signature]*

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 33-10900

Case No. 39576

)

)

)

ORDER OF PARTIAL DECREE

)

TO CORRECT CLERICAL ERROR; I.R.C.P.

)

60(a)

On November 14, 2000, a *Partial Decree* was issued for the above-captioned water right. The *Partial Decree* was issued pursuant to a *Special Master's Report*, which in turn was based upon a *Standard Form 5* entered into by the parties to the subcase. A comparison of the *Standard Form 5* with the *Partial Decree* reveals that a clerical error was made by Court personnel in the process of generating the *Partial Decree* from the IWATRS computer system.

Therefore, pursuant to I.R.C.P. 60(a), IT IS ORDERED that the clerical error is corrected and that water right 33-10900 is hereby **decreed** as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b) for Water Right 33-10900*.

This order is being entered *nunc pro tunc* as of November 14, 2000, and is not intended to modify any subsequent administrative changes for the water right, if any, which occurred following entry of the *Partial Decree*.

DATED: 10-10-01

Roger Burdick

ROGER S. BURDICK

Presiding Judge

Snake River Basin Adjudication

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OCT 15 2001

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 33-10900

2001 OCT 11 AM 9:17

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: USDI BLM
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE, ID 83709-1657

SOURCE: LITTLE LOST RIVER TRIBUTARY: SINKS

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 06/28/1934

POINT OF DIVERSION:	T06N R28E S13	SWNWNW	(Instream Ending Point)	Within Butte County
	T07N R28E S18	NENESW	(Instream Beginning Point)	
		NENESW	(Instream Ending Point)	
		NWSESE	(Instream Beginning Point)	
		NESESE	(Instream Ending Point)	
	S20	NESWNE	(Instream Beginning Point)	
		NESWNE	(Instream Ending Point)	
	T08N R27E S03	NWSESW	(Instream Beginning Point)	
	S10	SENESE	(Instream Ending Point)	
		NWSWSE	(Instream Beginning Point)	
	S15	SENESE	(Instream Ending Point)	
	S22	NWNENE	(Instream Beginning Point)	
	S27	NENENE	(Instream Ending Point)	
	T09N R27E S04	SWNWSW	(Instream Ending Point)	
	S09 LOT 07 (NENWNE)		(Instream Beginning Point)	
	LOT 07 (SENESE)		(Instream Ending Point)	
	S28	NESWNE	(Instream Beginning Point)	
		SWSWSE	(Instream Ending Point)	
	S33	SWSENE	(Instream Beginning Point)	
		SWSENE	(Instream Ending Point)	
	T10N R27E S20	SWSENW	(Instream Beginning Point)	
		SWSENW	(Instream Ending Point)	
	S29	NWSENE	(Instream Beginning Point)	
		SWSENW	(Instream Ending Point)	
	S33	SWSWSE	(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 Butte County
	T06N R28E S02	NWSW	SWSW
	S03 LOT 01 (NENE)		SENE
		NESE	
	S11	SWNE	NENW
		NWNW	SENE
		NESE	NWSE
		SESE	
	S13	NWNW	
	S14	NENE	
	T07N R28E S18	NESW	SESE
	S20	SWNE	NESE
	S21	NWSW	SWSW
		SESW	

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

	S28	SWNE	NENW
		SENW	NESE
		NWSE	SESE
	S33	NENE	
	S34	NWNW	SWNW
		SENW	NESW
		SESW	SWSE
		SESE	
T08N R27E	S03	SESW	
	S10	NENW	SENW
		NESW	SWSE
	S15	NWNE	SWNE
		NWSE	
	S22	NENE	SENE
		NESE	SESE
	S27	NENE	
T09N R27E	S04 LOT 02	(NWNE)	SWNE
		NWSE	
	S09 LOT 07	(NWNE)	
	S28	SWNE	NWSE
		SWSE	
	S33	SENE	
T10N R27E	S20	SENW	
	S29	SENE	
	S33	SWSE	

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.

OCT 13 2001

CERTIFICATE OF MAILING

Department of Water Resources

I certify that a true and correct copy of the ORDER OF PARTIAL DECREE TO CORRECT CLERICAL ERROR IRCP 60(A) was mailed on October 11, 2001, with sufficient first-class postage to the following:

STATE OF IDAHO

Represented by:

PETER J. AMPE

PO BOX 83720

BOISE, ID 83720-0010

Phone: 208-334-2400

USDI BLM

Represented by:

US DEPARTMENT OF JUSTICE

ENVIRONMENT & NATL' RESOURCES

550 WEST FORT STREET, MSC 033

BOISE, ID 83724

Phone: 208-387-0835

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

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 33-10900

2ND NOV 14 AM 11:43
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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NOV 15 2000

Department of Water Resources

NAME AND ADDRESS: USDI BLM
IDAHO STATE OFFICE
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BOISE, ID 83709-1657

SOURCE: LITTLE LOST RIVER TRIBUTARY: SINKS

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T08N R27E S03 NWSESW (Instream Beginning Point)
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PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
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PLACE OF USE:	Stockwater	Within Butte County
	T06N R28E S02 NWSW	SWSW
	S03 LOT 01 (NENE)	SENE
	S11 NESE	
	SWNE	NENW
	NWNW	SENW
	NESE	NWSE
	SESE	
	NWNW	
	S13 NENE	
	S14	
	T07N R23E S34 SESE	SESE
	R28E S18 SESE	SESE
	S20 SWNE	NESE

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

	S21	NWSW	SWSW
		SESW	
	S28	SWNE	NENW
		SENW	NESE
		NWSE	SESE
	S33	NENE	
	S34	NWNW	SWNW
		SENW	NESW
		SESW	SWSE
		SESE	
T08N R27E	S03	SESW	
	S10	NENW	SENW
		NESW	SWSE
	S15	NWNE	SWNE
		NWSE	
	S22	NENE	SENE
		NESE	SESE
	S27	NENE	
T09N R27E	S04 LOT 02	(NWNE)	SWNE
		NWSE	
	S09 LOT 07	(NWNE)	
	S28	SWNE	NWSE
		SWSE	
	S33	SENE	
T10N R27E	S20	SENW	
	S29	SENE	
	S33	SWSE	

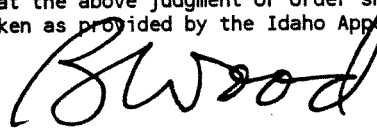
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 Barry Wood
 Administrative District Judge
 Presiding Judge of the
 Snake River Basin Adjudication

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NOV 15 2000

Department of Water Resources

2000 NOV 14 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): 33-10900

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 33-10900 was mailed
on November 14, 2000, with sufficient first-class postage prepaid
to the following:

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

STATE OF IDAHO
Represented by:
PETER J. AMPE
PO BOX 83720
BOISE, ID 83720-0010
Phone: 208-334-2400

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Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
11/14/00