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LETITIA WEBB

2001 OCT -4 PM 3:31
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 33-10051
)

Case No. 39576

) ORDER AMENDING PARTIAL DECREE TO
) CORRECT CLERICAL ERROR; I.R.C.P.
) 60(a) FOR WATER RIGHT 33-10051
)

On January 10, 2001, an *Order of Partial Decree* and *Partial Decree* were filed for the above-captioned water right. The *Partial Decree* contained clerical errors in the description of the point of diversion element.

THEREFORE, pursuant to I.R.C.P 60(a) IT IS ORDERED that the *Partial Decree* issued for water right 33-10051 is hereby amended and decreed as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED October 4, 2001.



ROGER S. BURDICK

Presiding Judge

Snake River Basin Adjudication

CERTIFICATE OF MAILING

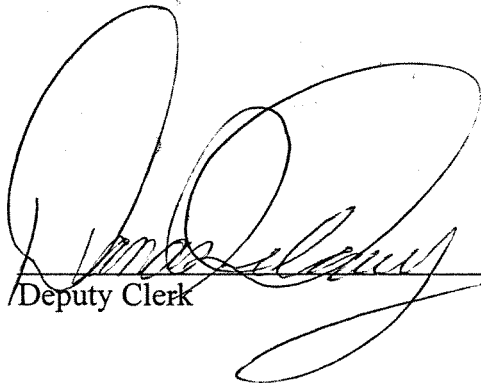
I certify that a true and correct copy of the ORDER AMENDING PARTIAL DECREE TO CORRECT CLERICAL ERROR; I.R.C.P. 60(a) FOR WATER RIGHT 33-10051 was mailed on October 4, 2001 with sufficient first-class postage to the following:

Triple T Summit Ranch
Edwin C. Thomas
Linda M. Thomas
5701 Astony Ct
Hinsdale, IL 60521

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

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

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

AMENDED

In Re SRBA)
Case No. 39576)

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

Water Right 33-10051

2001 OCT -4 PM 3:31
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS:

TRIPLE T SUMMIT RANCH
EDWIN C THOMAS
5701 ASTONY CT
HINSDALE, IL 60521

TRIPLE T SUMMIT RANCH
LINDA M THOMAS
5701 ASTONY CT
HINSDALE, IL 60521

SOURCE:

SPRINGS

TRIBUTARY: SUMMIT CREEK

QUANTITY:

0.30 CFS
114.10 AFY

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

PRIORITY DATE:

03/05/1927

POINT OF DIVERSION:

T11N R25E S06
S07

SWSE
SWSESE
NWNENE

Within Custer County

SIX POINTS OF DIVERSION LOCATED IN T11N, R25E, S06, SWSE AND
LIE WITHIN HES 261.

ONE POINT OF DIVERSION LOCATED IN T11N, R25E, S06, SESE AND
LIES WITHIN HES 257.

TWO POINTS OF DIVERSION LOCATED IN T11N, R25E, S07, NENE AND
LIE WITHIN HES 257.

**PURPOSE AND
PERIOD OF USE:**

PURPOSE OF USE
Irrigation
Stockwater

PERIOD OF USE
05-01 TO 10-31
05-01 TO 10-31

QUANTITY
0.30 CFS
0.02 CFS

PLACE OF USE:

Irrigation
T11N R25E S06
S07

NESE 1.2
SWSE 5.9
NENE 2.8

32.6 Acres Total

Within Custer County
NWSE 14.9
SESE 7.8

Stockwater
T11N R25E S06
S07

NESE
SWSE
NENE

Within Custer County
NWSE
SESE

THE USE OF WATER FOR IRRIGATION AND STOCKWATER WITHIN
T11N R25E S06 SWSE AND S07 NENE IS LIMITED TO HOMESTEAD ENTRY
SURVEYS HES 261 AND HES 257. THE USE OF WATER UNDER THIS
RIGHT WITHIN T11N R25E S06 SESE IS LIMITED TO HOMESTEAD ENTRY
SURVEY HES 257.

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.

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

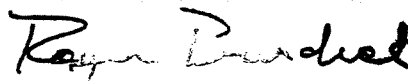
OTHER PROVISIONS (continued)

PROPERTY IS ALSO KNOWN AS HOMESTEAD ENTRY SURVEY NOS. 257 AND 261.

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

2001 JAN 10 AM 8:21

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

)

ORDER OF PARTIAL DECREE

)

Case No. 39576

)

For Water Right 33-10051

)

On November 9, 2000, 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 33-10051 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED JAN 10 2001.



ROGER BURDICK
Presiding Judge of the
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)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 33-10051

2001 JAN 10 AM 8:21

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: TRIPLE T SUMMIT RANCH
EDWIN C THOMAS
5701 ASTONY CT
HINSDALE, IL 60521

TRIPLE T SUMMIT RANCH
LINDA M THOMAS
5701 ASTONY CT
HINSDALE, IL 60521

SOURCE: SPRINGS TRIBUTARY: SUMMIT CREEK

QUANTITY: 0.30 CFS
114.10 AFY

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

PRIORITY DATE: 03/05/1927

POINT OF DIVERSION: T11N R25E S06 SWSE Within Custer County
S07 SWESE
NWNENE

SIX POINTS OF DIVERSION LOCATED IN T11N, R25E, S06, SWSE AND
LIE WITHIN HES 261.

ONE POINT OF DIVERSION LOCATED IN T11N, R25E, S06, SESE AND
LIES WITHIN HES 261.

TWO POINTS OF DIVERSION LOCATED IN T11N, R25E, S07, NENE AND
LIE WITHIN HES 261.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 10-31	0.30 CFS
	Stockwater	05-01 TO 10-31	0.02 CFS

PLACE OF USE:	Irrigation	Within Custer County
	T11N R25E S06	NESE 1.2 NWSE 14.9
	S07	SWSE 5.9 SESE 7.8 NENE 2.8
	32.6 Acres Total	

Stockwater	Within Custer County
T11N R25E S06	NESE NWSE
S07	SWSE SESE NENE

THE USE OF WATER FOR IRRIGATION AND STOCKWATER WITHIN
T11N R25E S06 SWSE AND S07 NENE IS LIMITED TO HOMESTEAD ENTRY
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SURVEY HES 257.

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USE.

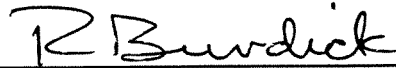
OTHER PROVISIONS (continued)

PROPERTY IS ALSO KNOWN AS HOMESTEAD ENTRY SURVEY NOS. 257 AND 261.

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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

2001 JAN 10 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): 33-10051

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 33-10051 was mailed
on January 10, 2001, with sufficient first-class postage prepaid
to the following:

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

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

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CERTIFICATE OF MAILING

PAGE 1
DIANA DELANEY 01/10/01
Chief Deputy Clerk