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AUG 23 2002

Department of Water Resources

AUG 22 PM 4: 44

DISTRICT COURT-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

) Subcase 32-7116
)
)
)
)
)
)
)

Case No. 39576

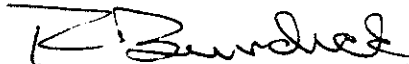
**ORDER OF PARTIAL DECREE
TO CORRECT CLERICAL ERROR; I.R.C.P.
60(a)**

On March 19, 2001, a *Partial Decree* was issued for the above-captioned water right. The *Partial Decree* was issued pursuant to a Standard Form 5 filed October 13, 2000. The *Director's Report* for this water right contained a "shoulder remark" regarding the period of use element. This remark was inadvertently omitted from the *Partial Decree* due to a computer error.

Therefore, pursuant to I.R.C.P. 60(a), IT IS ORDERED that the clerical error is corrected and that water right 32-7116 is hereby decreed as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b) for Water Right 32-7116*.

This order is being entered *nunc pro tunc* as of March 19, 2001, 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: 8-22-02



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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 32-07116

2002 AUG 22 PM 4:44

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: LA VAR NEWMAN
LOUISE NEWMAN
2941 N 800 E
MONTEVIEW, ID 83435

SOURCE: GROUNDWATER

QUANTITY: 3.00 CFS
1025.70 AFY

USE OF THIS RIGHT WITH RIGHT NO. 32-10358 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 10.60 CFS.

PRIORITY DATE: 06/12/1981

POINT OF DIVERSION: T12N R29E S31 SENW Within Lemhi County
SESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-15	3.00 CFS 1025.70 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY CONTINUE
TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT
ARE NOT EXCEEDED. THE USE AFTER OCTOBER 15 UNDER THIS REMARK IS
SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR
LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A
PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: Irrigation Within Lemhi County

T11N R29E S05 LOT 3	(NENW) 44.0	LOT 4	(NNW) 25.0
	SENE 5.3		
S06 LOT 1	(NENE) 3.6		
T12N R29E S31	NENW 40.0		SENE 40.0
	NESW 18.0		NESE 40.0
	NWSE 39.0		SWSE 11.0
	SESE 36.0		
S32	SWSW 40.0		
341.9 Acres Total			

USE OF THIS RIGHT WITH RIGHT NO. 32-10358 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 475 ACRES 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

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREE TO CORRECT CLERICAL ERROR IRCP 60(A) was mailed on August 22, 2002, with sufficient first-class postage to the following:

ROBERT R RICKS
MONTEVIEW, ID 83435
Phone: 208-657-2502

REED RICKS
PO BOX 2102
MONTEVIEW, ID 83435
Phone: 208-657-2502

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

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MAR 20 2001

Department of Water Resources

2001 MAR 19 AM 8:40
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 32-07116
_____	)	

On December 4, 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 32-07116 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED MAR 19 2001.



ROGER BURDICK
Presiding Judge of the
Snake River Basin Adjudication

RECEIVED

MAR 20 2001

Department of Water Resources
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

2001 MAR 19 AM 8:40
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 32-07116

NAME AND ADDRESS: LA VAR NEWMAN
LOUISE NEWMAN
2941 N 800 E
MONTEVIEW, ID 83435

SOURCE: GROUNDWATER

QUANTITY: 3.00 CFS
1025.70 AFY

USE OF THIS RIGHT WITH RIGHT NO. 32-10358 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 10.60 CFS.

PRIORITY DATE: 06/12/1981

POINT OF DIVERSION: T12N R29E S31 SENW Within Lemhi County
SESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-15	3.00 CFS 1025.70 AFY

PLACE OF USE:	Irrigation	Within Lemhi County
	T11N R29E S05 LOT 03 (NENW)44.0 SENW 5.3	LOT 04 (NWNW)25.0
	S06 LOT 01 (NENE) 3.6	
	T12N R29E S31	NENW 40.0 NESW 18.0 NWSE 39.0 SESE 36.0 S32 SWSW 40.0
	341.9 Acres Total	SENW 40.0 NESE 40.0 SWSE 11.0

USE OF THIS RIGHT WITH RIGHT NO. 32-10358 IS LIMITED TO THE
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OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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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.

A handwritten signature in cursive script, reading "R Burdick", written in black ink.

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

RECEIVED

MAR 20 2001

Department of Water Resources

2001 MAR 19 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): 32-07116

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 32-07116 was mailed
on March 19, 2001, with sufficient first-class postage prepaid
to the following:

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

LA VAR NEWMAN
LOUISE NEWMAN
Represented by:
BLAIR J. GROVER
215 FARNSWORTH WAY
PO BOX 36
RIGBY, ID 83442-0036
Phone: 208-745-6653

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
03/19/01