

RECEIVED

MAY 29 2001

Department of Water Resources

2001 MAY 24 PM 1:20

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

)

FOR WATER RIGHT 32-11224

)

Case No. 39576

)

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

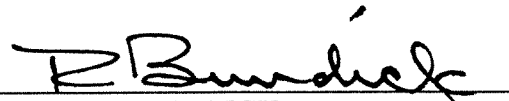
)

On May 22, 2001 the Court received correspondence from Reno Ditch Company stating that the *Partial Decree* filed on May 1, 2001 for the above-captioned water right had typographical errors. The correspondence identified two typographical errors that occurred in the transposition from the Standard Form 5 to the *Special Master's Report and Recommendation* and ultimately in the *Partial Decree*.

Pursuant to I.R.C.P. 60(a), given the nature of the clerical error, the Court can find no reason to delay entry of the *Amended Partial Decree* in order to correct the clerical error.

THEREFORE IT IS ORDERED that the *Partial Decree* entered on May 1, 2001, is hereby amended as set forth in the attached *Amended Partial Decree* pursuant to I.R.C.P. 54(b).

DATED: MAY 24 2001



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 32-11224

2001 MAY 24 PM 1:20

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: RENO DITCH COMPANY INC
PO BOX 5
REXBURG, ID 83440

SOURCE: BIRCH CREEK TRIBUTARY: SINKS

QUANTITY: 7.76 CFS
1358.00 AFY

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
A COMBINED DIVERSION RATE OF 77.06 AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 12,937.2 AF. RIGHTS OF THE RENO
DITCH COMPANY: 32-00058, 32-00059, 32-00060, 32-00061C,
32-00061D, 32-00062, 32-00063, 32-00064, 32-00065, 32-00066,
32-00068, 32-00069, 32-00070A, 32-00070B, 32-00073, 32-00074,
32-00075, 32-00076, 32-00077, 32-00078, 32-00079, 32-00080,
32-00083, 32-00085, 32-00086, 32-00087, 32-00089, 32-00090A,
32-00091, 32-00092, 32-00093, 32-00101, 32-00102, 32-02043,
32-02045, AND 32-11224.

PRIORITY DATE: 04/01/1987

THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A
PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED
AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS
BETWEEN WATER RIGHT DECREED AS ENLARGEMENTS PURSUANT TO SECTION
42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR
RIGHT.

POINT OF DIVERSION: T09N R30E S34 SESESW Within Clark County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	7.76 CFS 1358.00 AFY

PLACE OF USE:	Irrigation	Within Clark County
	T08N R31E S12	SESW 40.0 NWSE 40.0
		SWSE 40.0 SESE 40.0
	S13	NENE 40.0 NWNE 40.0
		SWNE 40.0 SENE 40.0
		NENW 40.0 NWNW 40.0
		SWNW 40.0 SENW 40.0
		NESW 40.0 NWSW 40.0
		NESE 40.0 NWSE 39.0
	S14	NENE 39.0 SENE 39.0
	R32E S01 LOT 01	(NENE)34.0 LOT 02 (NWNE)34.0
		SWNE 40.0 SENE 40.0
	LOT 03	(NENW)34.0 LOT 05 (NWNW)22.0
		SWNW 40.0 SENW 40.0
		NESW 40.0 NWSW 40.0
		SWSW 40.0 SESW 40.0
		NESE 40.0 NWSE 40.0
		SWSE 40.0 SESE 40.0
	S02	SENE 24.0 SESW 26.0
		NESE 40.0 NWSE 24.0
		SWSE 40.0 SESE 40.0
	S10	NESW 40.0 LOT 03 (NWSW)41.0

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

PLACE OF USE (continued)

	LOT 04 (SWSW)41.0	SESW 40.0
	NESE 40.0	NWSE 40.0
	SWSE 40.0	SESE 40.0
S11	NENE 41.0	NWNE 41.0
	SENE 41.0	NENW 41.0
	NWNW 28.0	SWNW 41.0
	SENW 41.0	NESW 41.0
	NWSW 41.0	SWSW 41.0
	SESW 41.0	
S12	NWNE 40.0	NENW 40.0
	NWNW 40.0	SWNW 40.0
S14	NENW 40.0	NWNW 40.0
S15	NENE 40.0	NWNE 40.0
	SWNE 40.0	SENE 40.0
	NENW 40.0	LOT 01 (NWNW)42.0
	LOT 02 (SWNW)42.0	SENW 40.0
R33E S05	LOT 03 (NENW)34.0	LOT 04 (NWNW)34.0
	SWNW 40.0	SENW 40.0
	NWSW 40.0	SWSW 40.0
S06	LOT 01 (NENE)34.0	LOT 02 (NWNE)34.0
	SWNE 40.0	SENE 40.0
	LOT 03 (NENW)34.0	LOT 04 (NWNW)17.0
	LOT 05 (SWNW)20.0	SENW 40.0
	NESW 40.0	LOT 06 (NWSW)20.0
	LOT 07 (SWSW)20.0	SESW 40.0
	NESE 40.0	NWSE 40.0
	SWSE 40.0	SESE 40.0
S07	NENE 40.0	NWNE 40.0
	SWNE 40.0	SENE 40.0
	NENW 40.0	NESE 40.0
	NWSE 40.0	SWSE 40.0
	SESE 40.0	
S08	NENW 40.0	NWNW 40.0
	SWNW 40.0	SENW 40.0
	NESW 40.0	NWSW 40.0
	SWSW 40.0	SESW 40.0
T09N R32E S36	NENE 40.0	NWNE 40.0
	SWNE 40.0	SENE 40.0
	NENW 40.0	NWNW 40.0
	SWNW 40.0	SENW 40.0
	NESW 40.0	NWSW 40.0
	LOT 04 (SWSW)37.0	LOT 03 (SESW)40.0
	NESE 40.0	NWSE 40.0
	LOT 02 (SWSE)40.0	LOT 01 (SESE)40.0
R33E S31	NESW 40.0	LOT 03 (NWSW)40.0
	LOT 04 (SWSW)40.0	SESW 40.0
	NESE 40.0	NWSE 40.0
	SWSE 40.0	SESE 40.0
S32	NENE 40.0	NWNE 40.0
	SWNE 40.0	SENE 40.0
	NENW 40.0	NWNW 40.0
	SWNW 40.0	SENW 40.0
	NESW 40.0	NWSW 40.0
	SWSW 40.0	SESW 40.0
5723.0 Acres Total		

USE OF THE RIGHTS OF RENO DITCH COMPANY LISTED ABOVE IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 3,815 ACRES IN A SINGLE IRRIGATION SEASON.

THE USE OF WATER WITHIN T08N R32E S02 SESW, NWSE, AND SENE, T08N S32 S11 NWNW DOES NOT INCLUDE ANY FEDERAL PUBLIC LANDS.

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

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

OTHER PROVISIONS (continued)

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.

A handwritten signature in black ink, appearing to read "R. Burdick", is written over a horizontal line.

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

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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 32-11224

)

On March 28, 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 32-11224 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED MAY 01 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 32-11224

2001 MAY -1 PM 1:59

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: RENO DITCH COMPANY INC
PO BOX 5
REXBURG, ID 83440

RECEIVED

SOURCE: BIRCH CREEK

TRIBUTARY: SINKS

MAY -3 2001

QUANTITY: 7.76 CFS
1358.00 AFY

Department of Water Resources

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		SENE 40.0
		NWNW 40.0
		SENE 40.0
		NWSW 40.0
		NWSE 39.0
	S14	SENE 39.0
	R32E S01 LOT 01 (NENE)34.0	LOT 02 (NWNE)34.0
		SENE 40.0
	LOT 03 (NENW)34.0	LOT 05 (NWNW)22.0
		SENE 40.0
		NWSW 40.0
		SESE 40.0
		NWSE 40.0
		SESE 40.0
	S02	SESE 26.0
		NWSE 24.0
		SESE 40.0
	S10	LOT 03 (NWSW)41.0

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

PLACE OF USE (continued)

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	SENE 41.0	NENW 41.0
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	SENW 41.0	NESW 41.0
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	SWSE 40.0	SESE 40.0
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	SESE 40.0	
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	SWNE 40.0	SENE 40.0
	NENW 40.0	NWNW 40.0
	SWNW 40.0	SENW 40.0
	NESW 40.0	NWSW 40.0
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5723.0 Acres Total

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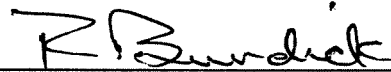
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Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

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Department of Water Resources

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DISTRICT COURT - SRBA
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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): 32-11224

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 32-11224 was mailed
on May 01, 2001, with sufficient first-class postage prepaid
to the following:

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

RENO DITCH COMPANY INC
Represented by:
KENT W FOSTER
PO BOX 50130
IDAHO FALLS, ID 83405
Phone: 208-523-0620

DIANA DELANEY
Chief Deputy Clerk