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Department of Water Resources

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

2003 MAR 12 AM 11 56

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

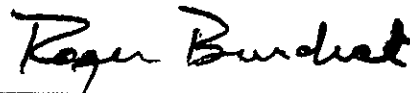
Case No. 39576

) Subcase: 29-12524
) (Johanna Fletcher, putative successor-in
) interest to Dora Wiedholz)
)
) ORDER AMENDING PARTIAL
) DECREE TO CORRECT ERROR IN
) POINT OF DIVERSION, I.R.C.P.
) 60(a)

On June 15, 1998, a *Partial Decree* was issued for the above-captioned water right. On October 4, 2002, this Court received correspondence from the Idaho Department of Water Resources (IDWR) indicating that the *Partial Decree* is in error regarding the location of the point of diversion (POD) for this water right, and that the POD is actually located in Twp 7S, Rge 36E, Sec 28, SWNWNW. On October 4, 2002, this Court issued a *Notice of Court's Intent to Issue Amended Partial Decree and Notice of Hearing Thereof*. No comments or objections were filed in response to this *Notice* and the time period for objecting has expired.

Therefore, IT IS ORDERED that the error regarding the point of diversion (POD) is corrected and water right 29-12524 is hereby decreed as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b) for Water Right 29-12524*.

DATED March 12, 2003.



ROGER 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

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO

FILED

2003 MAR 12 AM 11 56

In Re SRBA) PARTIAL DECREE PURSUANT TO
Case No. 39576) I.R.C.P. 54(b) FOR
Water Right 29-12524

NAME AND ADDRESS: DORA I WIEDHOLZ
3850 ROCK CREEK RD
AMERICAN FALLS, ID 83211

SOURCE: SPRING TRIBUTARY: INDIAN CREEK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 06/01/1890

POINT OF DIVERSION: T07S R36E S28 SWNNWN Within Bannock County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.02 CFS

PLACE OF USE: Domestic Within Bannock County
T07S R36E S29 NENE

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

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the **ORDER AMENDING PARTIAL DECREE TO CORRECT ERROR IN POINT OF DIVERSION, I.R.C.P. 60(a)** was mailed on March 12, 2003, with sufficient first-class postage to the following:

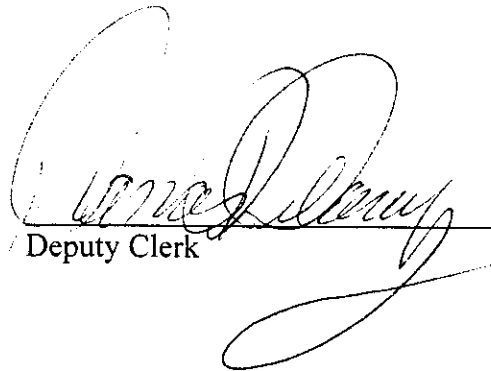
Director of IDWR
PO Box 83720
Boise, ID 83720-0098

Scott Wells
1914 W Portneuf Rd
Inkom, ID 83245

U.S. Department of Justice
Environment & Natural Resources Div.
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Boise, ID 83724

Chief, Natural Resources Div.
Office of the Attorney General
State of Idaho
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Johanna Fletcher
2015 W Portneuf Rd
Inkom, ID 83245



Deputy Clerk