

RECEIVED

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

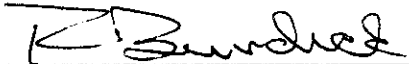
ORDER OF PARTIAL DECREE  
TO CORRECT CLERICAL ERROR; I.R.C.P.  
60(a)

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<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY                |
|-------------------------------|----------------|----------------|-------------------------|
|                               | Irrigation     | 04-15 TO 10-15 | 3.00 CFS<br>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 (NWNW) 25.0   |
|               | SENW 5.3                        |                     |
|               | S06 LOT 1 (NENE) 3.6            |                     |
|               | T12N R29E S31 NENW 40.0         | SENW 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               |                     |

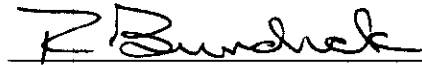
USE OF THIS RIGHT WITH RIGHT NO. 32-10358 IS LIMITED TO THE  
IRRIGATION OF A COMBINED TOTAL OF 475 ACRES IN A SINGLE  
IRRIGATION SEASON.

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