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Department of Water Resources

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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 32-7004

)

Case No. 39576

)

)

ORDER OF PARTIAL DECREE

)

TO CORRECT CLERICAL ERROR; I.R.C.P.

)

60(a)

)

On October 27, 2000, a *Partial Decree* was issued for the above-captioned water right. The *Director's Report* for this water right contained a "shoulder remark" regarding the period of use element. There were no objections to the *Director's Report*. 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 32-7004 is hereby **decreed** as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b) for Water Right 32-7004*.

This order is being entered *nunc pro tunc* as of October 27, 2000, 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

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In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 32-07004

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: ROBERT R RICKS
MONTEVIEW, ID 83435

REED RICKS
PO BOX 2102
MONTEVIEW, ID 83435

SOURCE: GROUNDWATER

QUANTITY: 6.06 CFS

USE OF THIS RIGHT WITH RIGHT NO. 32-07021 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 9.27 CFS AND TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2656.5 AF.

PRIORITY DATE: 08/05/1970

POINT OF DIVERSION: T09N R33E S13 SWSWSE Within Clark County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 11-01	6.06 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS APRIL 1 PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT
EXCEEDED. THE USE OF WATER BEFORE APRIL 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 Clark County
T09N R33E S12	NESW 40.0	NWSW 32.0
	SWSW 32.0	SESW 40.0
	NESE 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 30.0
	SWNW 33.0	SENW 40.0
	NESE 40.0	NWSE 40.0
	SWSE 40.0	SESE 32.0
	759.0 Acres Total	

USE OF THIS RIGHT WITH RIGHT NO. 32-07021 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 759 ACRES IN A SINGLE
IRRIGATION SEASON.

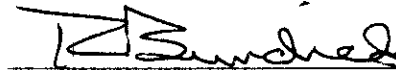
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 303 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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) FOR WATER RIGHT 32-7116 was mailed on August 22, 2002, with sufficient first-class postage to the following:

LA VAR NEWMAN

LOUISE NEWMAN

Represented by:

BLAIR J. GROVER

215 FARNSWORTH WAY

PO BOX 36

RIGBY, ID 83442-0036

Phone: 208-745-6653

DIRECTOR OF IDWR

PO BOX 83720

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