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ISB # 6697

Counsel for the United States of America

**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    | ) | <b>Subcase Nos. 63-31990</b>            |
|                | ) |                                         |
|                | ) | <b>MOTION TO CORRECT CLERICAL ERROR</b> |
| CASE NO: 39576 | ) |                                         |
|                | ) |                                         |
| _____          | ) |                                         |

**DESCRIPTIVE SUMMARY**

This is a motion by the United States of America, acting through the United States Department of Agriculture, Forest Service ("Forest Service") to correct a clerical error in the Special Master's Report and Recommendation for water right no. 63-31990.

On November 15, 2004 the Forest Service and McGrew Ranch LLC filed a Standard Form 5 ("SF5") that settled an objection to water right no. 63-31459. The resolution of that

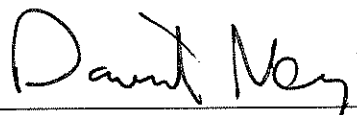
objection involved splitting the original water right (63-31459) into two separate rights, one for McGrew Ranch LLC (63-31989), and one for the United States (63-31990). The Idaho Department of Water Resources concurred with the SF5 and amended claims were attached to the SF5 identifying the United States as the claimant for 63-31990. On January 12, 2005, the Court issued a Special Master's Report and Recommendation for water right no. 63-31990. The name and address of the water right claimant on that recommendation lists McGrew Ranch LLC instead of the United States. This appears to be a clerical error.

### **MOTION**

Therefore, pursuant to I.R.C.P. 60(a), the Forest Service requests that the clerical error found in the Special Master's Report and Recommendation be corrected by changing the name and address element to show the United States of America acting through the USDA Forest Service as the claimant to water right no. 63-31990.

Dated this <sup>20<sup>th</sup></sup>~~19<sup>th</sup>~~ day of January, 2005.

Respectfully submitted,



David L. Negri  
United States Department of Justice

**Certificate of Service**

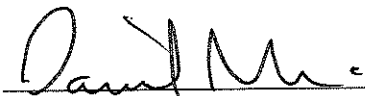
I certify that on January <sup>20</sup>19, 2005, I caused to be served a true and correct copy of the **MOTION TO CORRECT CLERICAL ERROR - 63-31990** to the addresses listed below, by U.S. mail, postage prepaid:

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