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DEPARTMENT OF

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

MAR 23 2010

By

Clerk

Deputy Clerk

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 AMENDED PARTIAL DECREE
	)	TO CORRECT CLERICAL ERROR;
Case No. 39576	)	I.R.C.P. 60(a)
	)	
	)	For Water Right: 63-32319
	)	(Primeland Development Co LLP)

On May 29, 2007, a *Partial Decree Pursuant to I.R.C.P. 54(b)* was issued for the above-captioned water right. On March 23, 2010, the Idaho Department of Water Resources filed correspondence notifying this Court of an error in the *Partial Decree*. Upon review of the file the Court finds that the *Partial Decree* contained an error in the cfs quantity amount listed under the period of use element. The correct cfs amount should be **0.85** rather than 0.95. The Court finds this to be the result of a clerical error.

Therefore, IT IS ORDERED that the above-captioned water right is hereby **decreed** as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b)*. The previously issued *Partial Decree* is replaced and superseded thereby.

DATED: March 23, 2010.



ERIC J. WILDMAN
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

Case No. 39576)

I.R.C.P. 54(b) FOR

Water Right 63-32319

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

MAR 23 2010

By

Clerk

Deputy Clerk

NAME AND ADDRESS:

PRIMELAND DEVELOPMENT CO LLP
FRANK VARRIALE
3120 W BELLTOWER DR
MERIDIAN, ID 83646-7744

SOURCE:

GROUND WATER

QUANTITY:

0.85 CFS
295.10 AFY

This right when combined with all other rights shall provide no
more than .02 cfs per acre nor more than 4.5 afa per acre for
irrigation of the lands below.

PRIORITY DATE:

05/06/1977

POINT OF DIVERSION:

T04N R01W S26	SESE	Within Ada County
S27	NESE	
S34	NENE	
S35	NWNW	
S36	NENE	

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	03-15 TO 11-15	0.85 CFS
		295.10 AFY

The use of water for irrigation under this right may begin as
early as March 1, provided other elements of the right are not
exceeded. The use of water before March 15 under this remark is
subordinate to all water rights having no subordinated early
irrigation use and a priority date earlier than the date a
partial decree is entered for this right.

PLACE OF USE:

Place of Use	Acres	Within Ada County
T04N R01W S26	NWSW 20.0	SWSW 37.0
S35	NWNW 37.0	SWNW 39.0
133.0 Acres Total		

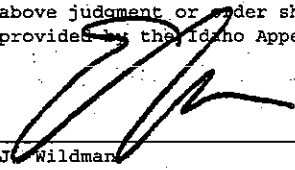
This right is limited to the irrigation of 65.6 acres within the
place of use described above in a single irrigation season.

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.


Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF AMENDED PARTIAL DECREE TO CORRECT CLERICAL ERROR; I.R.C.P. 60(A) was mailed on March 23, 2010, with sufficient first-class postage to the following:

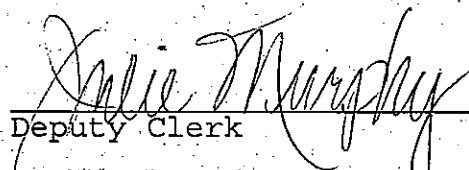
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3120 W BELLTOWER DR
MERIDIAN, ID 83646-7744

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

ORDER

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