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DEPARTMENT OF
WATER RESOURCES

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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 NUMBER 02-10300A
	)	and 02-10300B
	)	
	)	MOTION TO CORRECT 2 ND SPECIAL
	)	MASTER REPORT AND
	)	RECOMMENDATION PURSUANT TO
	)	I.R.C.P. 60(a)
	)	

COMES NOW, Claimant, Cottonwood Canal Company (hereinafter "CCC"), by and through its counsel of record Ringert Law, Chartered, and hereby moves this court to correct the partial decrees attached to the 2nd Special Master Report and Recommendation issued in the above captioned subcases on the grounds that such partial decrees contain a clerical error. This Motion is based upon I.R.C.P. 60(a), §14 of SRBA District Court Administrative Order No. 1, and the record herein.

SUMMARY AND ARGUMENT

On June 13, 2012, the parties to these subcases entered into and filed a Standard Form 5 - Stipulated Elements of a Water Right. On June 15, 2012, the Special Master Dolan issued the 2nd

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Special Master Report and Recommendation which attached recommended partial decrees for water rights 02-10300A and 02-10300B. However, both of the recommended partial decrees contain a typographical error in the Place of Use description. The Place of Use description reads: "T06N R10E S14" where it should be described as "T06S R10E S14".

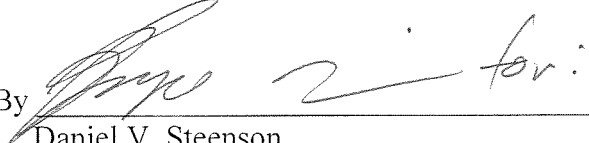
Section 14 of the SRBA District Court's Administrative Order No. 1 provides in relevant part that "[p]arties seeking to modify a partial decree shall comply with I.R.C.P. 60(a) or 60(b)." I.R.C.P. 60(a) provides that errors may be corrected by the court at any time of its own initiative or on the motion of any party after such notice, if any, as the court orders.

Both of the recommended partial decrees attached to the 2nd Special Master Report and Recommendation contain the typographical error and the Court and/or Special Master should immediately correct the error to the partial decrees for water rights nos. 02-10300A and 02-10300B, and issue partial decrees containing the correct Place of Use description.

CCC does not believe a hearing on this Motion is necessary and would request that the Court and/or Special Master immediately correct the typographical error without further notice or hearing on this matter.

DATED this 26th day of June, 2012.

RINGERT LAW CHARTERED

By 
Daniel V. Steenson
Attorneys for Cottonwood Canal Company

CERTIFICATE OF SERVICE

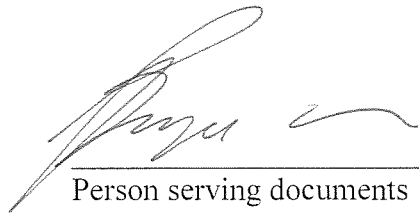
I HEREBY CERTIFY that on the 26th day of June, 2012, I served copies of this document, including all attachments by facsimile and U.S. Mail upon the following:

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