

RECEIVED

AUG 14 2014

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
AUG 13 2014	
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

Case No. 39576

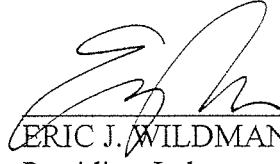
) Subcase Nos. 71-36A, 71-2004C and 71-10768
)
)
) **ORDER OF SECOND AMENDED PARTIAL**
) **DECREES *NUNC PRO TUNC***
)
)
)
)
)
)
)

On July 21, 2014, *Amended Partial Decrees* were issued for the above-captioned water right claims. On August 7, 2014, claimants Jon and Wei Christianson filed a *Motion to Amend Order Nunc Pro Tunc*. The *Motion* asserts that the *Amended Partial Decrees* contain errors in the point of diversion element. Specifically, that the point of diversion element in the *Amended Partial Decrees* provides "T08S R14E S16 NWNENW Within Custer County," when the correct point of diversion is "T08N R14E S16 NWNENW Within Custer County." The *Motion* is supported by the *Affidavit in Support of Motion to Amend Order Nunc Pro Tunc*, filed the same date. No oral argument was requested, and the Court in an exercise of its discretion finds that no oral argument is needed. Following a review of the files, the Court finds that the claimants have set forth sufficient grounds to set aside and correct the *Amended Partial Decrees* pursuant to Idaho Rule of Civil Procedure 60(b)(1), on the grounds that the identification of the point of diversion in the *Amended Partial Decrees* as being located in T08S as opposed to T08N was based on mistake.

THEREFORE, IT IS ORDERED that the *Motion to Amend Order Nunc Pro Tunc* is **hereby granted.**

IT IS FURTHER ORDERED that the *Amended Partial Decrees* for the above-captioned water rights are hereby amended *nunc pro tunc* to July 21, 2014, as set forth in the attached *Second Amended Partial Decrees Pursuant to I.R.C.P. 54(b)*.

Dated August 13, 2014


ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

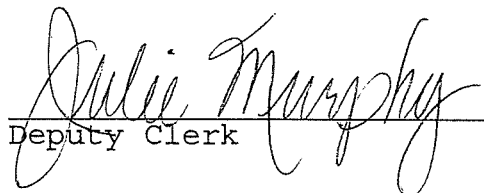
I certify that a true and correct copy of the ORDER OF
SECOND AMENDED PARTIAL DECREES was mailed on August 13, 2014,
with sufficient first-class postage to the following:

JON L CHRISTIANSON
WEI S CHRISTIANSON

Represented by:

GARY D. SLETTE
PO BOX 1906
TWIN FALLS, ID 83303
Phone: 208-734-0700

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

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line. The signature is in dark ink and is positioned to the right of the printed text "Deputy Clerk".