

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho OCT 23 2012 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	) Basin-Wide Issue 16
	) Subcase No: 00-92099
Case No. 39576	) (In Re: Form and Content of Final Unified
	) Decree)
	)
	) ORDER AMENDING IN PART ORDER
	) CLOSING CLAIMS TAKING IN
	) BASINS 23, 24, 25, 43, 51, 55, 57, 61, 81,
	) 82, 83, 84, 85, and 86 AND
	) DISALLOWAL OF UNCLAIMED
	) WATER RIGHTS
	)
	)

On December 1, 2011, this Court issued an *Order Closing Claim Taking in Basins 23, 24, 25, 43, 51, 55, 57, 61, 81, 82, 83, 84, 85, and 86 and Disallowal of Unclaimed Water Rights* ("Order") in the above-captioned subcase as well as in main case no. 00-39576. Among other things, the *Order* decreed as disallowed water right nos. 86-7025 & 86-7054 on the grounds that those water rights were required to be claimed in the Snake River Basin Adjudication ("SRBA"), but no timely claims were filed. The Clerk of the Court subsequently received correspondence from the Idaho Department of Water Resources informing the Court that claims for water right nos. 86-7025 & 86-7054 were not required to be filed in the SRBA because proof of beneficial use of those water rights was not submitted to the Department until after the commencement of the SRBA. As a result, the Department informed the Court that water right nos. 86-7025 & 86-7054 were erroneously disallowed in the *Order*. The Court finds this error to be a clerical error under Idaho Rule of Civil Procedure 60(a).

THEREFORE THE FOLLOWING ARE HEREBY ORDERED:

1. This Court's *Order Closing Claim Taking in Basins 23, 24, 25, 43, 51, 55, 57, 61, 81, 82, 83, 84, 85, and 86 and Disallowal of Unclaimed Water Rights* dated December 1, 2011, is

hereby amended to remove water right nos. 86-7025 & 86-7054 from the list of water rights attached as Exhibit 1 to that *Order* that were decreed as disallowed.

2. Aside from the amendment set forth in Paragraph 1 above, the remainder of the *Order Closing Claim Taking in Basins 23, 24, 25, 43, 51, 55, 57, 61, 81, 82, 83, 84, 85, and 86 and Disallowal of Unclaimed Water Rights* is unaltered, and shall remain in full effect and force.

Dated October 23, 2012.


ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER AMENDING IN PART ORDER CLOSING CLAIMS TAKING IN BASINS AND DISALLOWAL OF UNCLAIMED WATER RIGHTS was mailed on October 23, 2012, with sufficient first-class postage to the following:

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IN RE: FORM AND CONTENT OF
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(BASIN-WIDE ISSUE 16)

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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".