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SEP 03 2013

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho
AUG 30 2013
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

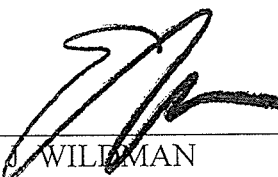
Case No. 39576

) Water Right Claim: 31-10208
)
) ORDER AMENDING PARTIAL
) DECREE *NUNC PRO TUNC* TO
) CORRECT CLERICAL ERROR; I.R.C.P.
) 60(a)

On February 22, 2002, a *Partial Decree* was issued for the above-captioned water right. The Court subsequently identified that the signature line of the *Partial Decree* was erroneously omitted, and the *Partial Decree* does not contain the signature of the presiding judge. This Court finds that the lack of a signature on the *Partial Decree* to be the result of a clerical error.

Therefore, pursuant to I.R.C.P. 60(a), IT IS ORDERED that the *Partial Decree* for the water right 31-10208 is hereby amended *nunc pro tunc* to correct the clerical error as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated Aug 30, 2013.



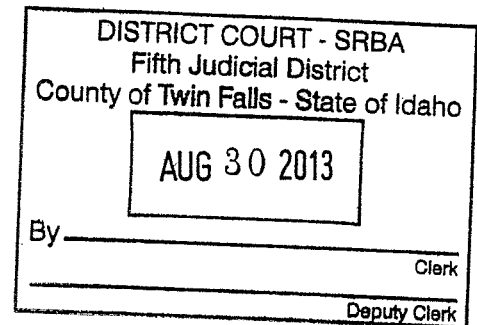
ERIC J. WILKMAN
Presiding Judge
Snake River Basin Adjudication

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DEPARTMENT OF
WATER RESOURCESIN 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)
 _____)
 PARTIAL DECREE PURSUANT TO
 I.R.C.P. 54(b) FOR
 Water Right 31-10208



NAME AND ADDRESS: DAVID J HAGENBARTH
 JAMES F HAGENBARTH
 MARGARET HAGENBARTH
 PO BOX 1128
 DILLON, MT 59725

SOURCE: MOOSE CREEK TRIBUTARY: SPRING CREEK

QUANTITY: 7.00 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
 SHALL NOT EXCEED 13,000 GALLONS PER DAY.
 USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
 TOTAL COMBINED DIVERSION RATE OF 11.48 CFS. COMBINED RIGHT NOS.:
 31-00253, 31-00254, 31-02077, 31-02125, 31-04027, 31-10208.
 THIS RIGHT WHEN COMBINED WITH RIGHT NO. 31-00253, 31-00254,
 31-02077, 31-02125, 31-04027, 31-10208 SHALL PROVIDE NO MORE
 THAN .02 CFS PER ACRE.

PRIORITY DATE: 05/01/1948

POINT OF DIVERSION: T13N R39E S02 NWSESW Within Clark County
 SWSESW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 10-31	7.00 CFS
	Stockwater	05-01 TO 12-15	0.23 CFS

PLACE OF USE:	Irrigation	Within Clark County
T13N R39E S11	NWSE 12.0	SWSE 37.0
S13	NENE 19.0	NWNE 0.8
	NENW 0.2	SWNW 13.0
	NWSW 40.0	SWSW 40.0
	SESW 40.0	
S14	NENE 5.0	NWNE 40.0
	SWNE 40.0	SENE 24.0
	NESW 23.0	SESW 25.0
	NESE 40.0	NWSE 40.0
	SWSE 40.0	SESE 40.0
S23	NENE 29.0	NWNE 11.0
S24	NWNW 15.0	
574.0 Acres Total		
Stockwater	Same as Irrigation	Within Clark County

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
 THE IRRIGATION OF A COMBINED TOTAL OF 574 ACRES IN A SINGLE
 IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-00253, 31-00254,
 31-02077, 31-02125, 31-04027, 31-10208.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 350 ACRES WITHIN
 THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
 STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

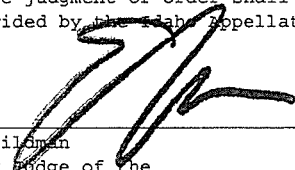
OTHER PROVISIONS (continued)

USE.

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 Utah Appellate Rules.



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

2013 AUG 30 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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	)	CERTIFICATE OF MAILING
	)	
Case No. 39576	)	
_____	)	Water Right(s): 31-10208

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 31-10208 was mailed
on August 30, 2013, with sufficient first-class postage prepaid
to the following:

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

DAVID J HAGENBARTH
JAMES F HAGENBARTH
MARGARET HAGENBARTH
PO BOX 1128
DILLON, MT 59725
Phone: 406-683-2163

DIANA DELANEY
Chief Deputy Clerk