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JUN 18 2010

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho
JUN 17 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

Case No. 39576

) ORDER OF AMENDED PARTIAL
) DECREE TO CORRECT CLERICAL
) ERROR
)
) For Water Right: 73-10520
)
)
)
)

A *Partial Decree* was issued for the above-captioned water right on October 20, 2009. On June 14, 2010, the United States of America, acting through the United States Department of Interior, Bureau of Land Management, filed a *Motion to Correct Clerical Error*. The *Motion* brought to the Court's attention the fact that the *Partial Decree* did not include the correct priority date. The above-captioned water right was claimed by the United States, asserting both a state and federal basis for the claim. The United States elected to proceed with the federal basis for the claim, with a priority date of April 7, 1917. The Special Master issued a recommendation consistent with the election of the federal basis, recommending that the United States is entitled to a federal reserved water right with a priority date of April 7, 1917. However, the above-captioned water right was erroneously decreed in the *Partial Decree* with the state basis priority date for the claim of June 28, 1934. This Court finds the incorrect priority date contained in the *Partial Decree* to be the result of clerical error.

THEREFORE, IT IS HEREBY ORDERED that pursuant to I.C.R.P. 60(a) the *Partial Decree* previously issued for water right 73-10520 is hereby **amended and decreed** as set forth in the attached *Amended Partial Decree pursuant to I.R.C.P. 54(b)*.

Dated June 17, 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)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 73-10520

NAME AND ADDRESS:

UNITED STATES OF AMERICA
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE, ID 83709-1657

SOURCE:

ROCK SPRING TRIBUTARY: SINKS

QUANTITY:

0.02 CFS

The quantity of water under this right shall not exceed 13,000
gallons per day.

PRIORITY DATE:

04/07/1917

This water right is decreed based on federal law with an April 7,
1917, date of priority pursuant to an executive order signed
the same date and known as Public Water Reserve 47.

POINT OF DIVERSION:

T12N R22E S24 SESWNE Within Custer County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Stockwater	01-01 TO 12-31	0.02 CFS

PLACE OF USE:

Stockwater Within Custer County
T12N R22E S24 SWNE

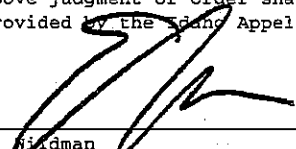
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right is not a
determination of historical beneficial 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 Idaho Appellate Rules.


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

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho JUN 17 2010 By _____ Clerk _____ Deputy Clerk

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF AMENDED PARTIAL DECREE TO CORRECT CLERICAL ERROR was mailed on June 17, 2010, with sufficient first-class postage to the following:

UNITED STATES OF AMERICA

Represented by:

US DEPARTMENT OF JUSTICE

ENVIRONMENT & NATL' RESOURCES

550 WEST FORT STREET, MSC 033

BOISE, ID 83724

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

UNITED STATES OF AMERICA

USDI BUREAU OF LAND MANAGEMENT

IDAHO STATE OFFICE

1387 S VINNELL WAY

BOISE, ID 83709-1657

Phone: 208-373-4000

Handwritten signature of Julie Murphy in cursive script, positioned over the printed name and title.