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MAR 31 2010

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
MAR 30 2010	
By _____	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	)	ORDER OF AMENDED PARTIAL DECREE
	)	TO CORRECT CLERICAL ERROR;
Case No. 39576	)	I.R.C.P. 60(a)
	)	
	)	For Water Right: 85-07317B
	)	(Gruell)

On December 29, 2000, a *Partial Decree Pursuant to I.R.C.P. 54(b)* was issued for the above-captioned water right. On March 29, 2010, the Idaho Department of Water Resources filed correspondence notifying this Court of an error in the *Partial Decree*. Upon review of the file the Court finds that the *Partial Decree* contained an error in both the priority date and point of diversion elements. The priority date should be corrected to match the priority date issued on the license. The *Partial Decree* lists the priority date as 12/01/1982. The correct date should read **01/30/1983**. The point of diversion description should be corrected to more accurately describe the QQQ description. The *Partial Decree* identifies the point of diversion as SWSESE in Section 4. The correct description should be **SESESE in Section 4**. The Court finds this to be the result of clerical errors.

Therefore, IT IS ORDERED that the above-captioned water right is hereby **decreed** as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b)*. The previously issued *Partial Decree* is replaced and superseded thereby.

DATED: March 23, 2010.



ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

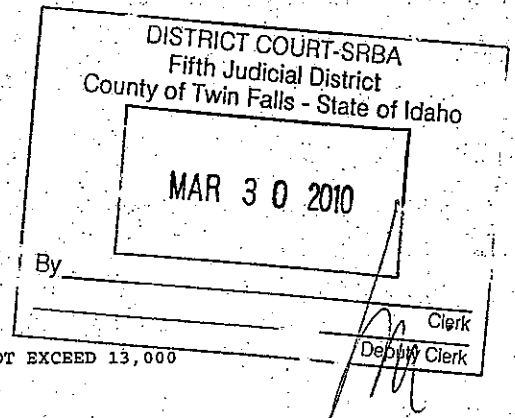
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

AMENDED

In Re SRBA)
)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 85-07317B



NAME AND ADDRESS: GERALD D GRUELL
1400 FORSMAN RD
LEWISTON, ID. 83501

SOURCE: GROUNDWATER

QUANTITY: 0.01 CFS
1.20 APY

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 01/30/1983

POINT OF DIVERSION: T33N R04W S04 SESESE Within Nez Perce County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.01 CFS
			1.20 APY

PLACE OF USE: Domestic Within Nez Perce County
T33N R04W S03 SWSW
S04 SESE

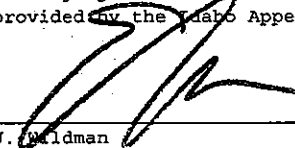
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. Wildman
Presiding Judge of the
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF AMENDED PARTIAL DECREE TO CORRECT CLERICAL ERROR; I.R.C.P. 60(A) was mailed on March 30, 2010, with sufficient first-class postage to the following:

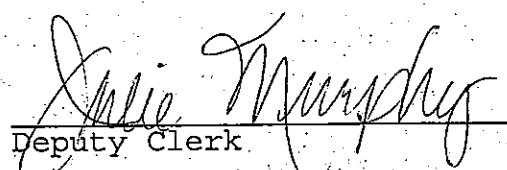
DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

GERALD D GRUELL
1400 FORSMAN RD
LEWISTON, ID 83501
Phone: 208-746-8546

ORDER

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Deputy Clerk