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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
JAN 21 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; I.R.C.P. 60(a)
)
) Water Right No.: 63-33026
)

A *Partial Decree* was issued for the above-captioned water right on March 19, 2009. On September 9, 2009, the Court received correspondence from the Idaho Department of Water Resources regarding a clerical error or omission in the quantity element. A *Notice of Court's Intent to Correct Clerical Error* with proposed corrections was served on the claimant, any parties to the prior subcase and notice provided pursuant to docket sheet notice. A hearing was held on the *Notice of Court's Intent to Correct Clerical Error* on January 19, 2010. No party appeared in opposition to the Court's proposed action in correcting the error. The Court found the error to be the result of a clerical error.

Therefore, pursuant to I.R.C.P. 60(a), IT IS ORDERED that the above-captioned water right is hereby **amended and 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 The previously issued *Partial Decree* is replaced and superseded thereby.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: January 21, 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 63-33026

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

JAN 21 2010

By _____

Clerk
Deputy Clerk

NAME AND ADDRESS: RICHARD M PHILLIPS & STACI
PHILLIPS TRUST
RICHARD M PHILLIPS TRUSTEE
210 MURRAY ST
BOISE, ID 83714

SOURCE: GROUND WATER

QUANTITY: 1.16 CFS
450.00 AFY

This right when combined with right no 63-33025, 63-33027, and
63-33028 shall provide no more than .02 cfs per acre.

PRIORITY DATE: 07/23/1957

POINT OF DIVERSION: T05N R01W S31 LOT 2 (NWSWNW) Within Ada County
R02W S25 NENWNE Within Canyon County
SENW
SWSW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	1.16 CFS 450.00 AFY

The use of water for irrigation under this right may begin as
early as March 1, provided other elements of the right are not
exceeded. The use of water before March 15 under this remark
is subordinate to all water rights having no subordinated
early irrigation use and a priority date earlier than the date
a partial decree is entered for this right.

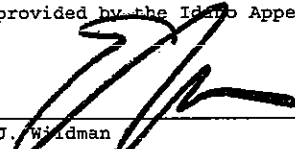
PLACE OF USE:	Irrigation	Within Canyon County
	T05N R02W S25	NWNE 40.0 SENW 20.0
	100.0 Acres Total	

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

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 January 21, 2010, with sufficient first-class postage to the following:

RICHARD M PHILLIPS & STACI
PHILLIPS TRUST
RICHARD M PHILLIPS TRUSTEE
210 MURRAY ST
BOISE, ID 83714

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

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line.