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DEC 18 2009

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
DEC 17 2009	
By _____	Clerk
_____	Deputy Clerk

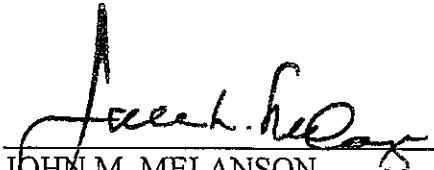
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	ORDER OF AMENDED PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right: 29-00294G
	)	(Davis)
	)	

On August 20, 2004, a *Partial Decree Pursuant to I.R.C.P. 54(b)* was issued for the above-captioned water right. On December 17, 2009, 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 a combined use remark which was in error. The *Partial Decree* had a combined diversion rate of .60cfs. The correct diversion rate is .06 cfs. The Court finds this to be the result of a clerical error.

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 The previously issued *Partial Decree* is replaced and superseded thereby.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: December 17, 2009.


JOHN M. MELANSON
Presiding Judge, *Pro Tem*
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 29-00294G

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

DEC 17 2009

By

Clerk

Deputy Clerk

NAME AND ADDRESS:

ARNOLD L DAVIS
KAREN B DAVIS
2047 INKOM RD
INKOM, ID 83245

SOURCE:

RAPID CREEK TRIBUTARY: PORTNEUF RIVER

QUANTITY:

0.02 CFS

USE OF THIS RIGHT WITH RIGHT NO. 29-13379 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.06 CFS.

PRIORITY DATE:

06/01/1885

POINT OF DIVERSION:

T07S R36E S22 NENENE Within Bannock County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
Irrigation

PERIOD OF USE

04-01 TO 10-31

QUANTITY

0.02 CFS

PLACE OF USE:

Irrigation

Within Bannock County

T07S R36E S22

SESE 2.0

2.0 Acres Total

USE OF THIS RIGHT WITH RIGHT NO. 29-13379 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 2.0 ACRES IN A SINGLE
IRRIGATION SEASON.

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.

John M. Melanson
John M. Melanson
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 was mailed on December 17, 2009, with sufficient first-class postage to the following:

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

ARNOLD L DAVIS
KAREN B DAVIS
2047 INKOM RD
INKOM, ID 83245
Phone: 208-775-3609

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