

RECEIVED

NOV 12 2009

DEPARTMENT OF
WATER RESOURCES

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

NOV 10 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

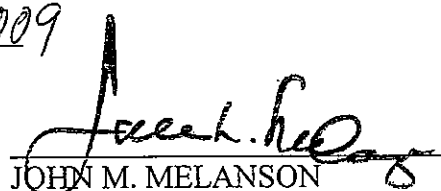
Case No. 39576

) ORDER OF CORRECTED AMENDED
) PARTIAL DECREE TO CORRECT
) CLERICAL ERROR; I.R.C.P. 60(a)
)
) For Water Right: 22-4123
)
)
)
)
)

A *Partial Decree* was issued for the above-captioned water right on November 24, 2008. On July 8, 2009, the Idaho Department of Water Resources notified the Court that the quantity for this right is incorrect. The quantity should be 0.37 cfs, under the Purpose and Period of Use and the Quantity elements. The Court finds this to be the result of a clerical error. A hearing was held on this matter on November 6, 2009 and no party appeared in opposition to the Court's proposed action in correcting the error.

Therefore, pursuant to I.R.C.P. 60(a), IT IS ORDERED that the above-captioned water right be amended and decreed as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P.54(b)*.

DATED: November 10, 2009


JOHN M. MELANSON

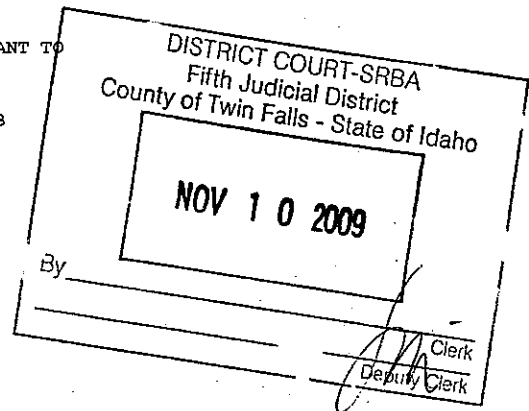
Presiding Judge

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

In Re SRBA)
)
Case No. 39576)
_____)

AMENDED
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 22-04123



NAME AND ADDRESS: THE SILVON & FAY MURDOCK
FAMILY TRUST
PO BOX 361
DRIGGS, ID 83422

SOURCE: SPRING TRIBUTARY: DARBY CREEK

QUANTITY: 0.37 CFS

PRIORITY DATE: 05/20/1971

POINT OF DIVERSION: T04N R45E S15 NWNWNE Within Teton County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.37 CFS

PLACE OF USE: Irrigation Within Teton County

T04N R45E S15	NENE 15.0	NWNE 25.0
40.0 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.

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 CORRECTED AMENDED PARTIAL DECREE TO CORRECT CLERICAL ERROR; I.R.C.P. 60(A) was mailed on November 10, 2009, with sufficient first-class postage to the following:

THE SILVON & FAY MURDOCK
FAMILY TRUST
PO BOX 361
DRIGGS, ID 83422
Phone: 208-354-2598

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