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JUL 24 2009

DEPARTMENT OF
WATER RESOURCES

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

JUL 23 2009

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

Clerk
Deputy Clerk

In Re SRBA

Case No. 39576

ORDER OF AMENDED PARTIAL DECREE
TO CORRECT CLERICAL ERROR; I.R.C.P.
60(a)

For Water Right: 75-04041

A *Partial Decree* was issued for the above-captioned water right on November 17, 2008. On March 31, 2009, the Court received correspondence indicating an error in the *Partial Decree*. The *Partial Decree* incorrectly lists only one point of diversion. The Court finds this to be the result of a clerical error. A hearing was held on this matter on July 21, 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: July 23, 2009

John M. Melanson
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

AMENDED

In Re SRBA)
Case No. 39576)
_____)

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

Water Right 75-04041

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

JUL 23 2009

By _____

Clerk

Deputy Clerk

NAME AND ADDRESS: GIBBONSVILLE IMPROVEMENT ASSN
C/O EARL KEATING
40 GIBBONSVILLE RD
GIBBONSVILLE, ID 83463

SOURCE: ANDERSON CREEK TRIBUTARY: DAHLONEGA CREEK

QUANTITY: 0.58 CFS

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

PRIORITY DATE: 10/09/1901

POINT OF DIVERSION: T26N R21E S25 SENW Within Lemhi County
NESW

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 10-31	0.40 CFS
	Domestic	01-01 TO 12-31	0.18 CFS

PLACE OF USE: Irrigation Within Lemhi County
T26N R21E S25 NESW 9.0 SWSW 2.0
SESW 9.0
20.0 Acres Total

Domestic Within Lemhi County
Same as Irrigation

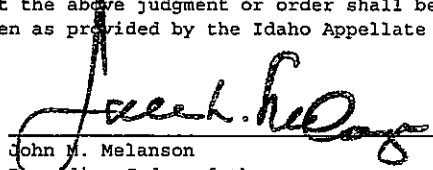
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right for domestic
use 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.


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 TO CORRECT CLERICAL ERROR; I.R.C.P. 60(A) was mailed on July 23, 2009, with sufficient first-class postage to the following:

GIBBONSVILLE IMPROVEMENT ASSN
C/O EARL KEATING
40 GIBBONSVILLE RD
GIBBONSVILLE, ID 83463
Phone: 208-865-2252

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

ORDER

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Deputy Clerk