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DEPARTMENT OF
WATER RESOURCES

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

JUL 23 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 AMENDED PARTIAL
) DECREE TO CORRECT CLERICAL
) ERROR: I.R.C.P. 60(a)
)

) For water right: 73-07083
)

A *Partial Decree* was issued for the above-captioned water right on June 10, 2009. Soon thereafter, the Court received correspondence stating that the *Partial Decree* contains an error in the Place of Use description. The wildlife Place of Use description reads T11N R24E S13 NWNE. The Place of Use description should read T10N R24E S13 NWNE. The Court finds this is due to a clerical error.

Therefore, pursuant to I.R.C.P. 60(a), IT IS ORDERED that water right 73-07083 is hereby **amended and decreed** as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated

July 23, 2009



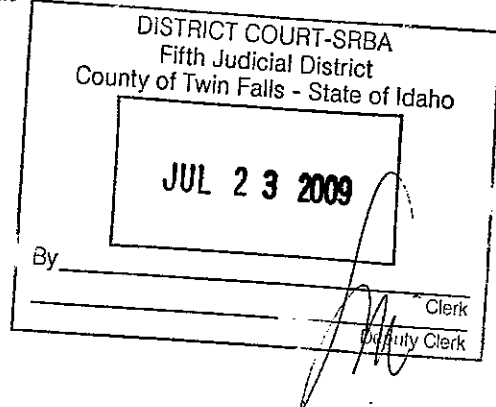
JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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 73-07083



NAME AND ADDRESS: UNITED STATES OF AMERICA
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE, ID 83709-1657

SOURCE: SPRING TRIBUTARY: ELKHORN CREEK

QUANTITY: 0.02 CFS
7.70 AFY

This right, when considered with all other rights common to the same grazing allotment, is limited to the quantity of water beneficially used by the number of stock within the allotment.

PRIORITY DATE: 08/10/1983

POINT OF DIVERSION: T11N R24E S27 SESENE Within Custer County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	06-16 TO 12-11	0.01 CFS 7.60 AFY
	Wildlife	01-01 TO 12-31	0.01 CFS 0.10 AFY

PLACE OF USE:	Stockwater		Within Custer County
	T10N R24E S01	SENW	NWSW
		SWSW	
	S12	SWNW	NWSE
	S13	NWNE	
	T11N R24E S35	NESW	SESE
	Wildlife		Within Custer County
	T10N R24E S01	SENW	NWSW
		SWSW	
	S12	SWNW	NWSE
	S13	NWNE	
	T11N R24E S35	NESW	SESE

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

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 73.

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:

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

UNITED STATES OF AMERICA
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE, ID 83709-1657
Phone: 208-373-4000

ORDER

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Deputy Clerk