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DEPARTMENT OF
WATER RESOURCES

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

JUN 30 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

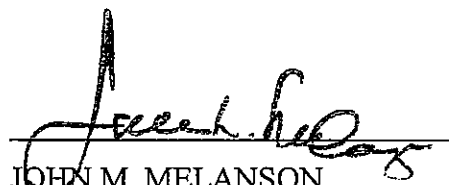
)
)
) ORDER OF AMENDED PARTIAL
) DECREE TO CORRECT CLERICAL
) ERROR: I.R.C.P. 60(a)
)

) For water right: 67-07321
)

A *Partial Decree* was issued for the above-captioned water right on June 10, 2009. On June 30, 2009, the Idaho Department of Water Resources notified this Court of an error in the *Partial Decree*. The Point of Diversion element currently reads T12N R1W S10 NWSESW. It should read T12 R1W S10 SENW. The Court finds this to be the result of a clerical error and finds no reason to delay entry of an *Amended Partial Decree*.

Therefore, pursuant to I.R.C.P. 60(a), IT IS ORDERED that water right 67-07321 is hereby **amended and decreed** as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b)*.

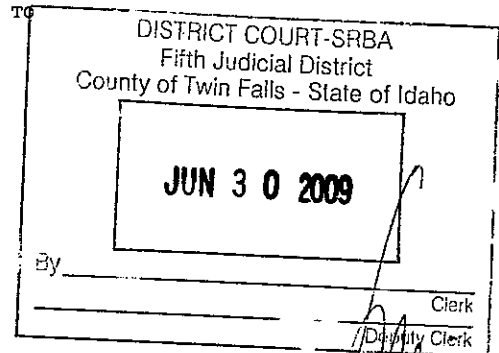
Dated June 30, 2009


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 67-07321



NAME AND ADDRESS: JAMES C AMSTUTZ
1649 N CRANE RD
MIDVALE, ID 83645

SOURCE: GROUND WATER

QUANTITY: 3.12 CFS

Rights 67-2378 and 67-7321 when combined shall not exceed a total diversion rate of 3.12 cfs, a total annual maximum diversion volume of 1028.0 af at the field headgate.

PRIORITY DATE: 05/03/1977

POINT OF DIVERSION: T12N R01W S10 SENW Within Washington County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-15	3.12 CFS

The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 15 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

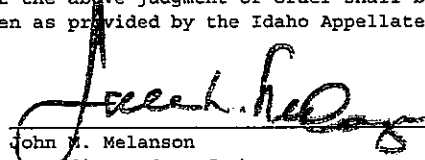
PLACE OF USE:	Irrigation		Within Washington County
	T12N R01W S10	NWNE 20.0	SWNE 18.0
		NENW 34.0	NWNW 36.0
		SWNW 40.0	SENW 40.0
		NESW 17.0	NWSW 1.0
		NWSE 30.0	SWSE 21.0
	257.0 Acres Total		

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 AMENDED PARTIAL DECREE TO CORRECT CLERICAL ERROR: I.R.C.P 60(A) was mailed on June 30, 2009, with sufficient first-class postage to the following:

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

JAMES C AMSTUTZ
1649 N CRANE RD
MIDVALE, ID 83645

ORDER

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Deputy Clerk

