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JUN 30 2009

DEPARTMENT OF
WATER RESOURCES

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

JUN 29 2009

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

By

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: 69-4103B
)

A *Partial Decree* was issued for the above-captioned water right on January 30, 2008, pursuant to a *Special Master's Report and Recommendation* based on a *Standard Form 5* and *Settlement Agreement*. On May 11, 2009, the Court received a *Stipulation to Amend Partial Decree* from the parties to the above-captioned subcase, indicating that the point of diversion description on the *Partial Decree* was incorrect. 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 69-4103B is hereby **amended and decreed** as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated June 29, 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 69-04103B

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUN 29 2009	
By _____	Clerk
_____	Deputy Clerk

NAME AND ADDRESS: MOONSHINE VENTURES LLC
PO BOX 44
COUNCIL, ID 83612

SOURCE: CROOKED RIVER TRIBUTARY: WILDHORSE RIVER

QUANTITY: 1.94 CFS

Right Nos. 69-4103B and 69-4104B are limited to a total combined
diversion rate of 1.94 cfs.

PRIORITY DATE: 04/01/1955

POINT OF DIVERSION: T18N R03W S15 NWNE Within Adams County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.94 CFS

PLACE OF USE:	Irrigation	Within Adams County
	T18N R03W S14	NWNE 1.0 NENW 20.0
		NWNW 40.0 SWNW 19.0
	S15	NENE 17.0
	97.0 Acres Total	

Right Nos. 69-4103B and 69-4104B are limited to the irrigation
of a combined total of 97 acres in a single irrigation season.

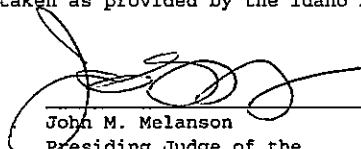
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Right nos. 69-4103A, 69-4103B, 69-4104A, 69-4104B and 69-4122
shall be administered in accordance with that certain Settlement
Agreement recorded as instrument number 115466, Adams County
Recorders Office.

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 29, 2009, with sufficient first-class postage to the following:

MOONSHINE VENTURES LLC

Represented by:
MICHAEL P LAWRENCE
PO BOX 2720
BOISE, ID 83701
Phone: 208-388-1200

HAROLD A POWERS

Represented by:
WILLIAM G MYERS III
101 S CAPITOL BLVD, STE 1400
PO BOX 2527
BOISE, ID 83701-2527
Phone: 208-342-5000

DIRECTOR OF IDWR

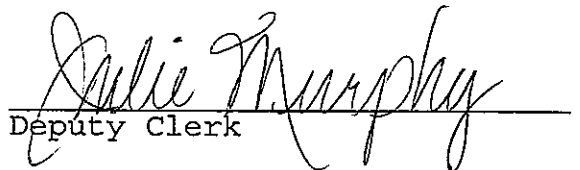
PO BOX 83720
BOISE, ID 83720-0098

ORDER

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FILE COPY FOR 00044

Deputy Clerk

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line. The signature is in dark ink and is positioned to the right of the printed text "Deputy Clerk".