

RECEIVED

JUN 29 2009

DEPARTMENT OF
WATER RESOURCES

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

JUN 26 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

n Re SRBA

Case No. 39576

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

For Water Right 63-08215

On March 19, 2009, a *Partial Decree* was issued for the above-captioned water right. On April 20, 2009, the Court was notified about a possible clerical error in describing the Quantity and Priority Date elements for this water right. The Quantity was decreed as 1.34 cfs and the Priority Date was decreed as 03/21/1962. The correct Quantity is 3.9 cfs and the correct Priority Date is 10/02/1975, as recommended in the *Notice of Completed Administrative Proceeding and Amended Director's Recommendation* filed January 2, 2009.

In reviewing the subcase file, the Court determines there was a clerical error made in describing the Quantity and Priority Date elements in the *Partial Decree*.

Therefore, IT IS ORDERED that water right 63-08215 is hereby **decreed** as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b)*. The previously issued *Partial Decree* is replaced and superseded thereby.

DATED June 26, 2009.

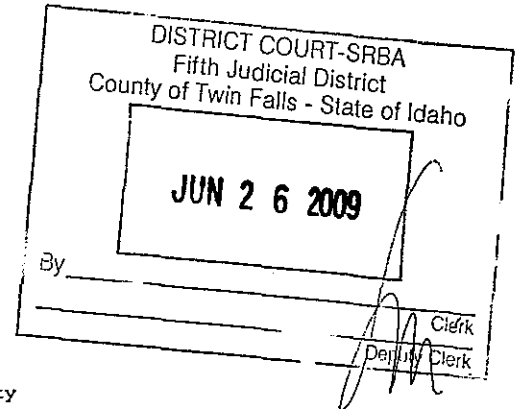
JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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 63-08215



NAME AND ADDRESS: CITY OF KUNA
PO BOX 13
KUNA, ID 83634-0013

SOURCE: GROUND WATER

QUANTITY: 3.90 CFS

PRIORITY DATE: 10/02/1975

POINT OF DIVERSION: T02N R01W S23 SWNE Within Ada County
SWSW
SWSW
SESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Municipal	01-01 TO 12-31	3.90 CFS

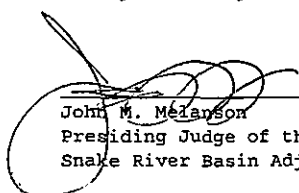
PLACE OF USE: PLACE OF USE IS WITHIN THE SERVICE AREA OF THE CITY OF KUNA
MUNICIPAL WATER SUPPLY SYSTEM AS PROVIDED FOR UNDER IDAHO LAW.

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.

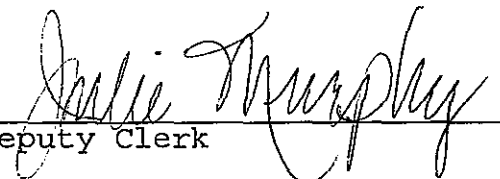

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF AMENDED PARTIAL DECREE was mailed on June 26, 2009, with sufficient first-class postage to the following:

CITY OF KUNA
PO BOX 13
KUNA, ID 83634-0013
Phone: 208-922-5546

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

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line.