

RECEIVED
MAY 29 2009
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
MAY 27 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: 27-07302**
)

A *Partial Decree* was issued for the above-captioned water right on January 30, 2008. The Court has received correspondence from the Idaho Department of Water Resources indicating an error on the *Partial Decree*. It appears that the source of the right is incorrect. The source should read, "Maybe Creek." 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 27-07302 is hereby **amended and decreed** as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated May 27, 2009


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

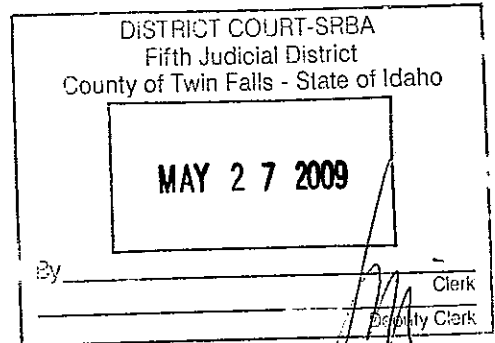
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

AMENDED

In Re SRBA)
)
Case No. 39576)
_____)

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

Water Right 27-07302



NAME AND ADDRESS: NU-WEST MINING INC
ATTN JON GOODE
3010 CONDA RD
SODA SPRINGS, ID 83276

SOURCE: MAYBE CREEK TRIBUTARY: DRY VALLEY CREEK

QUANTITY: 150.00 AFY

PRIORITY DATE: 03/04/1982

POINT OF DIVERSION: T08S R44E S09 NESENE Within Caribou County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Mining Storage	01-01 TO 12-31	3.60 AFY
	Mining from Storage	01-01 TO 12-31	150.00 AFY

PLACE OF USE: Mining Storage Within Caribou County
Same as Mining from Storage

Mining from Storage Within Caribou County
T08S R44E S09
S10

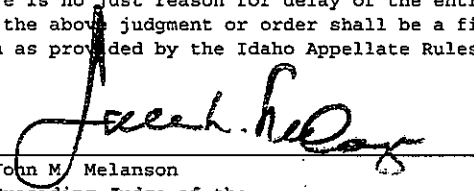
WATER IS USED FOR DUST ABATEMENT ON HAUL ROADS AT THE
MABEY CANYON MINE.

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 May 27, 2009, with sufficient first-class postage to the following:

NU-WEST MINING INC
ATTN JON GOODE
3010 CONDA RD
SODA SPRINGS, ID 83276

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

ORDER

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Deputy Clerk