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MAY 21 2009

Department of Water Resources
Adjudication Bureau

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

MAY 20 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

For Water Right: 61-02076

A *Partial Decree* was issued for the above-captioned water right on August 18, 2005. On February 26, 2009, the Court received correspondence from the Idaho Department of Water Resources indicating an error in the *Partial Decree*. A copy of the correspondence was also sent to the claimants. The *Partial Decree* contains a clerical error in the Place of Use description:

TO6S R10E S06 Lot 4 SWSE 4 acres should be deleted and TO6S R10E S06 Lot 4 NENW 2 acres and TO6S R10E S06 Lot 4 NWNW 2 acres should be added.

The Court finds this to be the result of a clerical error. A hearing was held on this matter on May 19, 2009 and no party appeared in opposition to the Court's proposed action in correcting the error.

Therefore, IT IS ORDERED that the above-captioned water right be amended and decreed as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P.54(b)*.

DATED:

May 20, 2009

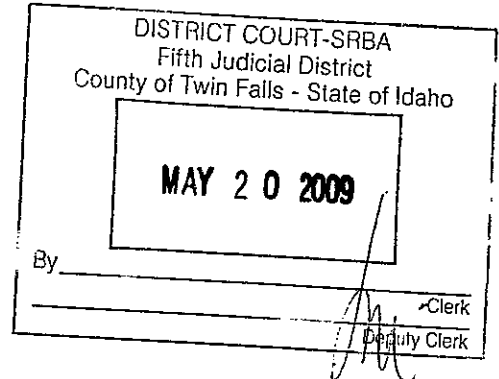
JOHN M. MELANSON

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 61-02076



NAME AND ADDRESS: STATE OF IDAHO
DEPT OF PARKS & RECREATION
STATEHOUSE MAIL
PO BOX 83720
BOISE, ID 83720-0065

SOURCE: LITTLE CANYON CREEK TRIBUTARY: SNAKE RIVER
SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.30 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 2.67 CFS. COMBINED RIGHT NOS.: 2-222, 2-2444,
2-7050, & 61-2076.

PRIORITY DATE: 08/16/1944

POINT OF DIVERSION: T05S R09E S35 LOT 6 (SWNE) (Injection) Within Elmore County
R10E S32 NWNWNW
T06S R10E S06 LOT 4 (NENNW) (Rediversion)

WATER DIVERTED UNDER THIS RIGHT IS EXCHANGED BY INJECTING WATER
DIVERTED UNDER THIS RIGHT INTO SNAKE RIVER AT THE POINT OF
INJECTION DESCRIBED ABOVE, AND DIVERTING AN EQUAL AMOUNT FROM
SNAKE RIVER AT THE POINT OF REDIVERSION DESCRIBED ABOVE.

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 03-15 TO 11-15 0.30 CFS

PLACE OF USE: Irrigation Within Elmore County
T05S R10E S31 NESW 9.0 LOT 5 (NWSW) 7.0
LOT 4 (SWSW) 7.0 LOT 3 (SESW) 25.0
LOT 2 (SWSE) 5.0
T06S R10E S06 LOT 4 (NENW) 2.0 LOT 4 (NWNW) 2.0
57.0 Acres Total

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 15 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

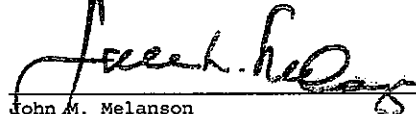
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

DIVERSION OF WATER UNDER THIS RIGHT IS LIMITED TO THOSE TIMES
WHEN WATER IS AVAILABLE FOR DIVERSION UNDER THE PRIORITY OF THIS
RIGHT AT THE ORIGINAL POINT OF DIVERSION IN T05S, R10E, S32,
NWNWNW.

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 was mailed on May 20, 2009, with sufficient first-class postage to the following:

STATE OF IDAHO
DEPT OF PARKS & RECREATION
STATEHOUSE MAIL
PO BOX 83720
BOISE, ID 83720-0065

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

ORDER

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Deputy Clerk