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APR 09 2009

DEPARTMENT OF
WATER RESOURCES

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

APR - 8 2009

By

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: 57-02226
)

A *Partial Decree* was issued for the above-captioned water right on April 18, 2008. The Court has received correspondence from IDWR stating that the *Partial Decree* contains errors in the Period of Use and Place of Use elements. In addition, it has come to the Court's attention that the *Partial Decree* contains an incorrect address. The Court finds this is due to a clerical error. The Period of Use should read 03/01 to 11/15 and the Place of Use should read 125 acres, and include two limitation remarks. In addition, the correct address is PO Box 455, Grand View, Idaho, 83624.

Therefore, pursuant to I.R.C.P. 60(a), IT IS ORDERED that water right 57-02226 is hereby **amended and decreed** as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated

April 8, 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 57-02226

NAME AND ADDRESS: LELAND DALE AGENBROAD
PO BOX 455
GRANDVIEW, ID 83624

SOURCE: GROUNDWATER

QUANTITY: 1.18 CFS
295.00 AFY

PRIORITY DATE: 04/28/1958

POINT OF DIVERSION: T06S R03E S05 NWSW Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	1.18 CFS 295.00 AFY

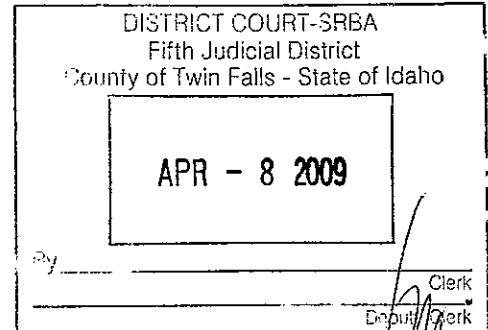
The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated 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 Owyhee County
	T06S R03E S05 LOT 2 (NWNE) 48.0 NWSW 37.0	SENE 40.0
	125.0 Acres Total	

Right Nos. 57-2226 and 57-2239 are limited to the irrigation of a combined total of 128 acres in a single irrigation season. This right is limited to the irrigation of 59 acres within the place of use described above in a single irrigation season.

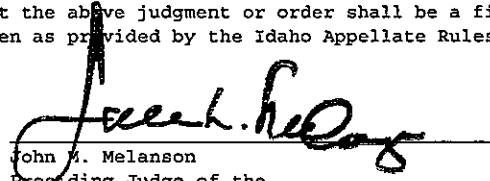
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 April 08, 2009, with sufficient first-class postage to the following:

LELAND DALE AGENBROAD
PO BOX 455
GRANDVIEW, ID 83624

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

ORDER

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Deputy Clerk

A handwritten signature in cursive script, appearing to read "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".