

No Color
Documents
In File

RECEIVED

SEP 12 2002

Department of Water Resources

277 SEP 10 AM 10:28

DISTRICT COURT-SRBA
TWIN FALLS, IDAHO

**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

) For Water Right 61-11943

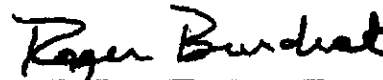
)
) ORDER AMENDING PARTIAL
) DECREE TO CORRECT CLERICAL
) ERROR; I.R.C.P. 60(a)

A *Partial Decree* was issued for the above-captioned water right on July 17, 2002. Subsequently it was brought to the attention of the Court that the *Partial Decree* contains a clerical error. The year of the priority date element contained in the July 17, 2002, *Partial Decree* states "0062" and should read "1962." The Court finds the discrepancy to be the result of a clerical error.

THEREFORE, pursuant to I.R.C.P. 60(a), IT IS ORDERED AND ADJUDGED that the *Partial Decree* previously issued for water right 61-11943 is hereby amended to correct a clerical error as set forth in the *Amended Partial Decree Pursuant To I.R.C.P. 54(b)*.

This order is being entered *nunc pro tunc* as of July 17, 2002, and is not intended to modify any subsequent administrative changes to the water right, if any, which occurred following entry of the *Partial Decree*.

DATED: September 9, 2002



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

ORDER AMENDING PARTIAL DECREE TO
CORRECT CLERICAL ERROR; I.R.C.P. 60(a)

G:\Eric\amend.ordcler.ort.doc

MICROFILMED
MAR 11 2003

Page 1

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 61-11943

2002 SEP 10 AM 10:28
DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO
FILED

NAME AND ADDRESS: UNITED STATES OF AMERICA
US AIR FORCE C/O COMMANDER
USE ARMY CORP OF ENGINEERS
ATTN: CENPS-RE PO BOX 3755
SEATTLE, WA 98124-3255

SOURCE: GROUND WATER

QUANTITY: 4.904 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 3,075 AF. COMBINED RIGHT
NOS.: 61-11940, 61-11941, 61-11942, 61-11943

PRIORITY DATE: 12/31/1962

POINT OF DIVERSION T04S R05E S21 SWSE Within Elmore County
 S22 SWNW
 NESE

PURPOSE AND PERIOD OF USE.	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Municipal	01-01 TO 12-31	4 904 CFS

PLACE OF USE:
PLACE OF USE IS WITHIN THE AREA OF THE MOUNTAIN HOME AIR FORCE
BASE.

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.

Roger Burdick

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

MICROFILMED

CERTIFICATE OF MAILING

I certify that a true and correct copy of the AMENDED PARTIAL DECREE 61-11943 was mailed on September 10, 2002, with sufficient first-class postage to the following:

UNITED STATES OF AMERICA

Represented by:

US DEPARTMENT OF JUSTICE

ENVIRONMENT & NATL' RESOURCES

550 WEST FORT STREET, MSC 033

BOISE, ID 83724

Phone: 208-387-0835

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

MICROFILMED

MAR 11 2003

AMENDED PARTIAL DECREE

Page 1 9/10/02

FILE COPY FOR 00561

Deputy Clerk

Robbin H. [Signature]