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DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
OCT 10 2002	
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	) Subcase: 32-07095D
	)
Case No. 39576	) ORDER OF AMENDED PARTIAL
	) DECREE TO CORRECT CLERICAL
	) ERROR; I.R.C.P. 60(a), <i>NUNC PRO</i>
	) <i>TUNC</i>

A *Partial Decree* was issued for the above-captioned water right on October 27, 2000. However, due to a computer coding error, the following "shoulder" remark was inadvertently omitted from the period of use element of the *Partial Decree*.

The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 15 and after October 15 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.

Therefore, pursuant to I.R.C.P. 60(a), IT IS ORDERED that water right 32-07095D is hereby decreed as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b)*.

This order is being entered *nunc pro tunc* as of October 27, 2000, and is not intended to modify any subsequent administrative changes for the water right, if any, which occurred following entry of the *Partial Decree*.

Dated October 10, 2002

Roger Burdick

ROGER BURDICK
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 32-07095D

NAME AND ADDRESS: BLAINE LARSEN
CONNIE LARSEN
PO BOX 188
HAMER, ID 83425

SOURCE: GROUNDWATER

QUANTITY: 1.16 CFS
399.70 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 3.25 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 912.5 AF. COMBINED RIGHT
NOS.: 32-07018B, 32-07058B, 32-07092B, 32-07022W, 32-07248

PRIORITY DATE: 05/02/1978

POINT OF DIVERSION: T09N R35E S05 SWNE Within Clark County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-15	1.16 CFS 399.70 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 15 AND AFTER OCTOBER 15 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 Clark County
	T09N R35E S05 LOT 1 (NENE) 31.4	LOT 2 (NWNE) 31.5
	SWNE 31.5	SENE 31.4
	NESE 33.7	NWSE 33.8
	SWSE 33.7	SESE 33.7
	260.7 Acres Total	

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 260.7 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-07018B, 32-07058B,
32-07092B, 32-07022W, 32-07248

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 114.2 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.



Roger Burdick
Presiding Judge of the
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

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 32-07095D

NAME AND ADDRESS: BLAINE LARSEN
CONNIE LARSEN
PO BOX 188
HAMER, ID 83425

SOURCE: GROUNDWATER

QUANTITY: 1.16 CFS
399.70 AFY

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TOTAL COMBINED DIVERSION RATE OF 3.25 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 912.5 AF. COMBINED RIGHT
NOS.: 32-07018B, 32-07058B, 32-07092B, 32-07022W, 32-07248

PRIORITY DATE: 05/02/1978

POINT OF DIVERSION: T09N R35E S05 SWNE Within Clark County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-15	1.16 CFS 399.70 AFY

PLACE OF USE:	Irrigation	Within Clark County
	T09N R35E S05 LOT 01 (NENE)31.4	LOT 02 (NWNE)31.5
	SWNE 31.5	SENE 31.4
	NESE 33.7	NWSE 33.8
	SWSE 33.7	SESE 33.7
	260.7 Acres Total	

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32-07092B, 32-07022W, 32-07248

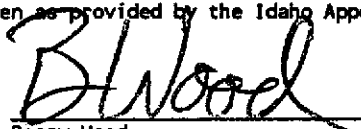
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ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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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.

A handwritten signature in black ink, appearing to read "B. Wood", is written over a horizontal line.

Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

WATER RIGHT
NUMBER

NAME

CFS

32-07095

Split into parts A & B by amendment. See 32-07095A.

32-07095A

THIS RIGHT SPLIT INTO PARTS C & D THRU TRANSFER NO. 4782.

32-07095B

SEE RIGHT NO. 31-07613

32-07095C

LARSEN , BLAINE
LARSEN , CONNIE

2.79

32-07095D

LARSEN , BLAINE
LARSEN , CONNIE

1.16

MICROFILMED

MAY 07 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4782
WATER RIGHT NO(S). 32-07022W/32-07095D

This is to certify that: **BLAINE LARSEN**
CONNIE LARSEN
PO BOX 188
HAMER ID 83425

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 32-07022W :			
IRRIGATION	04/15 to 10/15	0.30 CFS	72.5 AF
Priority: 03/29/1984			
Right No. 32-07095D :			
IRRIGATION	04/15 to 10/15	1.16 CFS	399.7 AF
Priority: 05/02/1978			
TOTAL:		1.46 CFS	472.2 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 5, Township 09N, Range 35E
CLARK County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09N	35E	5	NESE 33.7	NWSE 33.8	SWSE 33.7	134.9
			SESE 33.7			
Total number of acres irrigated:						* 134.9

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. A totalizing measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

RECORDED

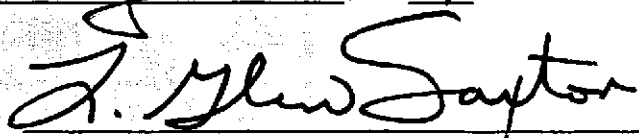
MAY 07 1986

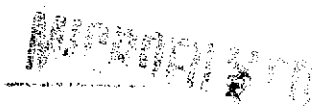
TRANSFER NO. 4782
WATER RIGHT NO(S). 32-07022W/32-07095D

CONDITIONS OF APPROVAL AND REMARKS

3. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
4. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
5. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
6. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- * 8. Right No. 32-07022W is limited to the irrigation of 20.7 acres in the place of use described above in a single irrigation season.
- * 9. Right No. 32-07095D is limited to the irrigation of 114.2 acres in the place of use described above in a single irrigation season.
10. Right Nos. 32-07022V, 32-07056A and 32-07093A when combined shall not exceed a total combined diversion rate of 8.45 cfs, a total combined annual diversion volume of 2,027.5 af, and irrigation of 579.3 acres as described under this transfer application.

Dated this 2nd day of May, 1996.


Chief, Water Alloc. Bureau


MAY 07 1996