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DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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 AMENDING DIGITAL
) BOUNDARY FOR PARTIAL DECREES
) AND CORRECTING CLERICAL
) ERROR IN ORDER OF PARTIAL
) DECREE
)
) For Water Right(s): 65-02585, 65-022587,
) 65-03114, 65-03115 and 65-03116
)
)

I.
PROCEDURE

On November 2, 2004, this Court entered *Partial Decrees* for the above-captioned water rights using "digital boundaries" for the place of use element. On November 16, 2004, Island Capital, LLC, through counsel, filed a *Motion to Alter or Amend or Motion to Correct Partial Decrees Pursuant to Rules 59(e), 60(a) and 60(b), I.R.C.P.* Pursuant to the *Motion*, Island Capital, LLC, asserted that the decreed digital boundary for the Roseberry Irrigation District represented an earlier version of the boundaries which by agreement of the parties had been superceded and finalized by the Idaho Department of Water Resources. The *Motion* also identified a clerical error in the Court's *Order* which incorrectly referred to water rights "29-00071 and 29-0558." A hearing was held on the *Motion* on January 18, 2005. No party opposed the *Motion*. On January 18, 2005, Island Capital, LLC, and IDWR filed a stipulation agreeing that the previously decreed map did not accurately reflect the agreed upon boundaries. In conjunction with the stipulation, IDWR filed a CD-ROM disc containing the data for the agreed upon digital boundary, together with a revised illustrative map depicting the boundaries.

ORDER AMENDING DIGITAL BOUNDARY FOR PARTIAL DECREES AND CORRECTING
CLERICAL ERROR IN ORDER OF PARTIAL DECREE

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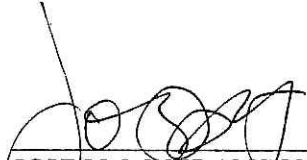
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II. ORDER AMENDING

Therefore, THE FOLLOWING ARE ORDERED:

1. The CD-ROM disc filed January 18, 2005, for Roseberry Irrigation District water rights 65-2585, 65-3114, 65-3115, 65-3116, 65-22587, 65-22588, 65-22589 and 65-22590 shall replace and supercede the CD-ROM disc previously filed with the *Partial Decrees* for the above-captioned water rights on November 2, 2004.
2. Upon request, the claimant can obtain a copy of the CD-ROM from IDWR at no cost, although GIS software will still be required to access the data. Subsequent administrative changes to the place of use shall also be stored in a digital format and kept on file and maintained by IDWR. IDWR shall maintain all computer software and/or hardware necessary for reducing the data to a usable format that is accessible to the general public, including access through the IDWR Internet website (www.idwr.state.id.us) or its successor Uniform Resource Locator (URL).
3. The illustrative map for Roseberry Irrigation District water rights 65-2585, 65-3114, 65-3115, 65-3116, 65-22587, 65-22588, 65-22589 and 65-22590, dated January 24, 2005, and attached hereto this *Order*, shall replace and supercede the map previously attached to and filed with the *Partial Decrees* for the above-captioned water rights on November 2, 2004.
4. Pursuant to I.R.C.P. 60(a), in the *Order of Partial Decree* for water rights 65-02585, 65-022587, 65-03114, 65-03115 and 65-03116 (*Order* for water right 65-022587 issued separately), the reference to water rights 29-00071 and 29-02558 contained in section II paragraph 1 of the respective *Orders* is stricken and replaced with the phrase "above-captioned."

DATED January 27, 2005.



JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

**ORDER AMENDING DIGITAL BOUNDARY FOR PARTIAL DECREES AND CORRECTING
CLERICAL ERROR IN ORDER OF PARTIAL DECREE**

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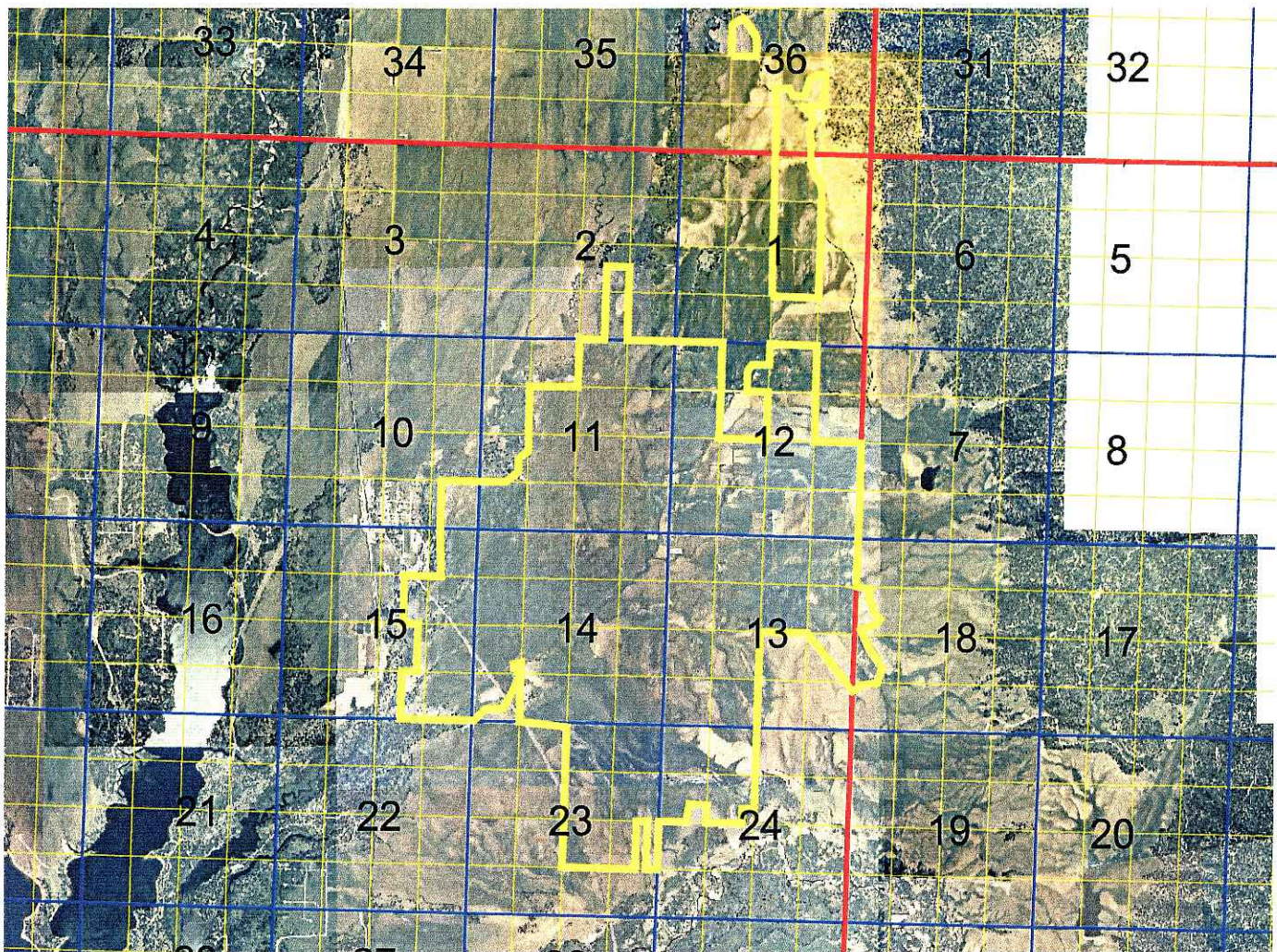
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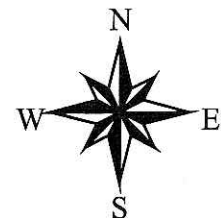
SCANNED
JAN 28 2005

Roseberry Irrigation District

65-2585 65-3114 65-3115 65-3116
65-22587 65-22588 65-22589 65-22590



1 0 1 2 Miles



-  Roseberry Irr Dist Boundary
-  Township/Range
-  Sections
-  Quarter Quarters

SCANNED
JAN 28 2005

IDWR 1/24/05

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER AMENDING DIGITAL BOUNDARY FOR PARTIAL DECREES AND CORRECTING CLERICAL ERROR IN ORDER OF PARTIAL DECREE was mailed on January 27, 2005, with sufficient first-class postage to the following:

BLACK CANYON IRRIGATION DISTRI

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DIRECTOR OF IDWR
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JOE ELD
2554 E ROSEBERRY
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EASTERN WESTERN CORPORATION
ISLAND CAPITOL LLC
ROSEBERRY IRRIGATION DIST
ROSEBERRY IRRIGATION DISTRICT

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UNITED STATES OF AMERICA

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ROSEBERRY IRRIGATION DISTRICT

C/O JOE ELD
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MC CALL, ID 83638

ORDER

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Dep. Clerk

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