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Department of Water Resources

2002 APR -1 PM 2: 35

DISTRICT COURT-SRBA
TWIN FALLS CO. 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 61-02208
)
)
)
)

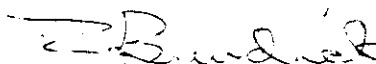
ORDER AMENDING PARTIAL
DECREE TO CORRECT CLERICAL
ERROR; I.R.C.P. 60(a)

A partial decree was issued for the above-captioned uncontested water right on October 26, 2000. Subsequently it was brought to the attention of the Court that there are certain omissions in the partial decree. Apparently, the partial decree omitted certain remarks regarding the quantity limitation for the domestic portion of the water right, the irrigation season of use, and the other provisions necessary for the definition or administration of the water right. These remarks were all included in the *Director's Report and Recommendation* for this water right. The water right was uncontested and therefore the remarks should have been included in the partial decree. The Court finds the omissions 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 61-02208 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 October 26, 2000, 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 4-1-02



ROGER S. 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)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 61-02208

2002 APR -1 PM 2:35

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

NAME AND ADDRESS: CARLA B BECKMAN
MICHAEL KENN BECKMAN
156 SOUTH 45TH WEST
IDAHO FALLS, ID 84303

SOURCE: GROUNDWATER

QUANTITY: 0.90 CFS
271.40 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL
NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 08/23/1966

POINT OF DIVERSION: T03S R08E S36 NESESW Within Elmore County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	0.90 CFS 270.00 AFY
	Domestic 1 HOME.	01-01 TO 12-31	0.02 CFS 1.40 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 15 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 NOVEMBER 1 UNDER THIS
REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED
EARLY OR LATE IRRIGATION USE AND PRIORITY DATE EARLIER THAN THE
DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:	Irrigation		Within Elmore County
	T03S R08E S36	SESW 13.0	
	T04S R08E S01	NWNE 7.2	SWNE 11.0
		NENW 26.0	SENW 21.0
		NESW 15.0	
	93.2 Acres Total		

Domestic		Within Elmore County
T03S R08E S36	SESW	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 60.0 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 93.2 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 61-00281B, 61-00282B,
61-00358B, 61-00361B, 61-00362B, 61-02006E, 61-02013B, 61-002014B
AND 61-10377B.

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

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

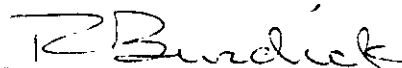
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER AMENDING PARTIAL DECREE TO CORRECT CLERICAL ERROR was mailed on April 01, 2002, with sufficient first-class postage to the following:

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

CARLA B BECKMAN
MICHAEL KENN BECKMAN
156 SOUTH 45TH WEST
IDAHO FALLS, ID 84303
Phone: 208-524-6333