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**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

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

For Water Right 34-00742

On May 22, 2001, a *Partial Decree* was entered for the above water right. It has come to the Court's attention that clerical errors occurred in the transposition from the *Special Master's Report and Recommendation* to the *Partial Decree*.

Therefore, IT IS ORDERED that water right 34-00742 is hereby **amended** as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 60(a)*.

DATED MAY 30 2001



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

In Re SRBA

Case No. 39576

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

Water Right 34-00742

NAME AND ADDRESS:

PATRICIA A SMITH
RICHARD A SMITH
STAR ROUTE
MACKAY, ID 83251

SOURCE:

BIG LOST RIVER

TRIBUTARY: SINKS

POINT OF INJECTION INTO AND POINT OF REDIVERSION FROM WARM
SPRINGS CREEK.

QUANTITY:

3.00 CFS

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
A TOTAL COMBINED DIVERSIO RATE OF 11.60 CFS.
COMBINED RIGHT NOS.: 34-00527, 34-00528, 34-00743 AND 34-13564.

PRIORITY DATE:

05/01/1905

POINT OF DIVERSION:

TOBN R21E S15
R22E S27
S28

NESUNW
SUSUNW
MUSENW

Within Custer County
(Injection)
(Rediversion)

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
Irrigation

PERIOD OF USE
05-01 TO 10-15

QUANTITY
3.00 CFS

THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE
EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING
DATE OF 4-20 AND AN ENDING OF 10-31 AT THE DISCRETION OF
THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES.

PLACE OF USE:

Irrigation

TOBN R22E S20 LOT 08 () 19.0
LOT 14 () 1.5
S21 SUNW 40.0
NWSW 40.0
SESW 40.0
S28 SUNE 37.0
NENW 39.0
SUNW 2.5
NESW 5.0

Within Custer County

LOT 09 () 15.5
NESW 40.0
SWSW 38.5
SENE 37.0
NUNW 20.0
SENW 36.4

411.4 Acres Total

USE OF THIS RIGHT WITH RIGHT NOS. 34-00528, 34-00527, 34-00743
AND 34-13564 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF
411.4 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 150 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).

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

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 AMENDED ORDER OF PARTIAL DECREE TO CORRECT CLERICAL I.R.C.P. 60(A) AND AMENDED PARTIAL DECREE was mailed on May 30, 2001, with sufficient first-class postage to the following:

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

PATRICIA A SMITH
RICHARD A SMITH
STAR ROUTE
MACKAY, ID 83251