

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
OCT - 2 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 35-07977B
	)	
Case No. 39576	)	
	)	ORDER OF PARTIAL DECREE
	)	TO CORRECT CLERICAL ERROR; I.R.C.P.
	)	60(a)
_____	)	

On August 12, 2002, a *Partial Decree* was issued for the above-captioned water right. On February 11, 2002, the Idaho Department of Water Resources issued a *Notice of Completed Administrative Proceeding* (NCAP), together with an *Amended Director's Report*, pursuant to a transfer proceeding. No Objections were filed to the *Amended Director's Report*. However, by reason of oversight or omission by Court personnel, the *Special Master's Report*, and subsequently the *Partial Decree*, contains a clerical error in the point of diversion element, such error having been made in the process of incorporating the changes made in the *Amended Director's Report*. Therefore, pursuant to I.R.C.P. 60(a), IT IS ORDERED that the clerical error is corrected and that water right 35-07977B is hereby decreed as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b) for Water Right 35-07977B*.

This order is being entered *nunc pro tunc* as of August 12, 2002, 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 2, 2002

Roger Burdick

ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

In Re SRBA) PARTIAL ~~AMENDED~~ ORDER PURSUANT TO
)
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 35-07977B

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

OCT - 2 2002

By _____ Clerk

Deputy Clerk

NAME AND ADDRESS: LARRY S BETHKE
2745 BREDDING RD
AMERICAN FALLS, ID 83211

SOURCE: GROUNDWATER

QUANTITY: 1.23 CFS
312.00 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 8.32 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2136.8 AF. COMBINED RIGHT NOS.: 35-07161A, 35-07162A, 35-07977B, 35-08046 AND 35-08050.

PRIORITY DATE: 04/21/1981

POINT OF DIVERSION: T07S R29E S13 NENE Within Power County
SWNW
S14 NWNE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	1.23 CFS
			312.00 AFY

PLACE OF USE:	Irrigation	Within Power County
T07S R29E S13	NENW 33.0	NWNW 33.0
	SWNW 33.0	SENW 33.0
	NESW 33.0	NWSW 33.0
	SWSW 33.0	SESW 33.0
S14	NENE 33.4	NWNE 33.4
	SWNE 20.0	SENE 33.0
	NENW 37.2	NWNW 37.2
	SWNW 38.0	SENW 38.0
534.2 Acres Total		

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 78 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 534.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 35-07161A, 35-07162A, 35-07977B, 35-08046, 35-08050.

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).

CAL 100A

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