

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 35-02902

Case No. 39576

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

On July 18, 2002, a *Partial Decree* was issued for the above-captioned water right. On March 25, 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 place of use 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 35-02902 is hereby decreed as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b) for Water Right 35-02902*.

This order is being entered *nunc pro tunc* as of July 18, 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

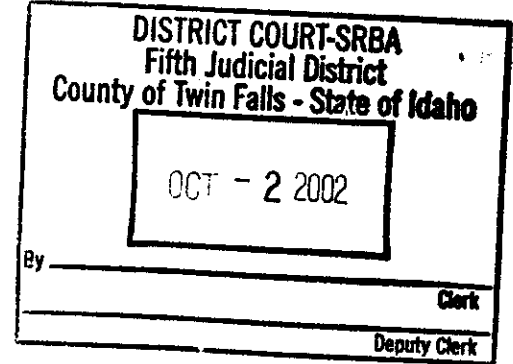
ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

IN 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 35-02902



NAME AND ADDRESS: MICKELSEN PROPERTIES LLC
1050 W RIVERVIEW DR
IDAHO FALLS, ID 83401

SOURCE: GROUNDWATER

QUANTITY: 4.36 CFS
1280.00 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 5428 AF. COMBINED RIGHT NOS.:
35-02090A, 35-02661A, 35-02902, 35-04198, 35-07607, 35-13295.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 22.49 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 6001 AF. COMBINED RIGHT NOS.:
35-02090A, 35-02661A, 35-02902, 35-04198, 35-07607, 35-13295,
35-13297.

PRIORITY DATE: 04/19/1956

POINT OF DIVERSION: T03N R36E S29 SENESW Within Bonneville County
S30 SESWSE
S31 SENWNE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	4.36 CFS 1280.00 AFY

PLACE OF USE:	Irrigation		Within Bonneville County
	T02N R36E S06	NENE 40.0	NWNE 40.0
		SWNE 40.0	SENE 40.0
		NESE 40.0	NWSE 36.0
		SESE 4.0	
	T03N R36E S28	NESW 40.0	NWSW 39.0
		SWSW 38.0	SESW 39.0
	S29	NESW 40.0	NWSW 40.0
		SWSW 39.0	SESW 38.0
		NESE 40.0	NWSE 40.0
		SWSE 33.0	SESE 39.0
	S30	NENE 40.0	NWNE 40.0
		SWNE 40.0	SENE 40.0
		NESE 40.0	NWSE 40.0
		SWSE 40.0	SESE 35.0
	S31	NENE 39.0	NWNE 40.0
		SWNE 40.0	SENE 40.0
		NESE 40.0	NWSE 40.0
		SWSE 40.0	SESE 39.0
	S32	NENW 40.0	NWNW 37.0
		SWNW 40.0	SENW 40.0
		NESW 9.0	NWSW 9.0
	1513.0 Acres Total		

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 1513 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 35-02090A, 35-02661A,
35-02902, 35-04198, 35-07607, 35-13295, 35-13297.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE

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

PLACE OF USE (continued)

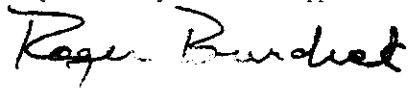
IRRIGATION OF A COMBINED TOTAL OF 1357 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 35-02090A, 35-02661A,
35-02902, 35-04198, 35-07607, 35-13295.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 320 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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