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Department of Water Resources

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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 61-11940

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

A *Partial Decree* was issued for the above-captioned water right on July 17, 2002. Subsequently it was brought to the attention of the Court that the *Partial Decree* contains a clerical error. The year of the priority date element contained in the July 17, 2002, *Partial Decree* states "0043" and should read "1943." The Court finds the discrepancy 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 61-11940 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 July 17, 2002, 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: September 9, 2002



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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 61-11940

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DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: UNITED STATES OF AMERICA
US AIR FORCE C/O COMMANDER
US ARMY CORP OF ENGINEERS
ATTN: CENPS-RE PO BOX 3755
SEATTLE, WA 98124-2255

SOURCE: GROUND WATER

QUANTITY: 4.01 CFS
2895.20 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 3,075 AF. COMBINED RIGHT
NOS.: 61-11940, 61-11941, 61-11942, 61-11943.

PRIORITY DATE: 12/31/1943

POINT OF DIVERSION:	T04S R05E S21	NESW	Within Elmore County
		SWSE	
	S22	SWNW	
	S27	SWNE	
		SWNW	
	S28	NESE	

PURPOSE AND	PURPOSE OF USE	PERIOD OF USE	QUANTITY
PERIOD OF USE:	Municipal	01-01 TO 12-31	4.01 CFS 2895.20 AFY

PLACE OF USE:
PLACE OF USE IS WITHIN THE AREA OF THE MOUNTAIN HOME AIR FORCE
BASE.

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

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the AMENDED PARTIAL DECREE was mailed on September 10, 2002, with sufficient first-class postage to the following:

UNITED STATES OF AMERICA

Represented by:

US DEPARTMENT OF JUSTICE

ENVIRONMENT & NATL' RESOURCES

550 WEST FORT STREET, MSC 033

BOISE, ID 83724

Phone: 208-387-0835

DIRECTOR OF IDWR

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