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Department of Water Resources

2002 MAY 21 AM 9:19

DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO
FILED RM RM

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 36-8140
)
)

Case No. 39576

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

On January 15, 1998, a *Partial Decree* was issued for the above-captioned water right. On May 16, 2002, the Claimant of the water right filed a *Motion to Correct Clerical Error in Partial Decree*, pointing out that the *Partial Decree* contains a "13,000 gallon per day" limitation which did not appear in the *Director's Report*. The Court has reviewed the Claimant's *Motion*, and the *Partial Decree* and *Director's Report* for this water right, and the Court finds that the inclusion of said limitation is clearly a clerical error.

Therefore, pursuant to I.R.C.P. 60(a), IT IS ORDERED that the clerical error is corrected and that water right 36-8140 is hereby decreed as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b) for Water Right 36-08140*.

This order is being entered *nunc pro tunc* as of January 15, 1998, 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: 5-20-02



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 36-08140

2002 MAY 21 AM 9:19

DISTRICT COURT-SRBA
TWIN FALLS CO IDAHO
FILED RU RU

NAME AND ADDRESS: MC CORD FAMILY PARTNERSHIP
3415 S 2400 E
JEROME, ID 83338

SOURCE: GROUNDWATER

QUANTITY: 0.11 CFS
79.40 AFY

PRIORITY DATE: 01/21/1983

POINT OF DIVERSION: T08S R16E S30 SENENE Within Gooding County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.11 CFS
			20.00 AFY
	Commercial	01-01 TO 12-31	0.11 CFS
			59.40 AFY

COMMERCIAL USE IS A DAIRY.

PLACE OF USE:	Stockwater		Within Gooding County
	T08S R16E S29	NWNW	
	S30	NENE	
	Commercial		Within Gooding County
	T08S R16E S30	NENE	

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

THE QUANTITY OF WATER DECREE FOR THIS WATER RIGHT FOR
STOCKWATER 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
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

2002 MAY 21 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 36-08140

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 36-08140 was mailed
on May 21, 2002, with sufficient first-class postage prepaid
to the following:

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

MC CORD FAMILY PARTNERSHIP
3415 S 2400 E
JEROME, ID 83338
Phone: 208-324-4071

ROBBIN GLATZ
Chief Deputy Clerk

CERTIFICATE OF MAILING

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