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DEC 05 2000

Department of Water Resources

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 35-04127

200 DEC -4 AM 10:01

FILED
TWIN FALLS CO., IDAHO**Entered Nunc Pro Tunc November 17, 2000**NAME AND ADDRESS: LAMB WESTON INC
2975 LAMB WESTON RD
PO BOX 489
AMERICAN FALLS, ID 83211

SOURCE: GROUNDWATER

QUANTITY: 4.68 CFS
3388.20 AFYUSE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 4408 AF.
COMBINED RIGHT NOS.: 35-02603 AND 35-12670

PRIORITY DATE: 08/14/1961

POINT OF DIVERSION: T07S R30E S35 NWNWSE Within Power County
NENWSE
NWSWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Industrial	01-01 TO 12-31	4.68 CFS 3388.20 AFY
	Fire Protection	01-01 TO 12-31	4.68 CFS

THE WATER DIVERTED UNDER THIS RIGHT FOR INDUSTRIAL PURPOSES MUST FIRST BE USED IN ASSOCIATION WITH THE POTATO PROCESSING PLANT LOCATED IN T07S, R30E, S35, NWSE AND SWSE. AFTER WATER IS USED FOR INDUSTRIAL PURPOSES IN ASSOCIATION WITH THE POTATO PROCESSING PLANT, IT MAY BE APPLIED TO AND USED FOR THE IRRIGATION OF THE LAND DESCRIBED IN THE PLACE OF USE FOR INDUSTRIAL PURPOSES IN T07S, R30E, S35, W1/2, TO SATISFY WATER QUALITY REQUIREMENTS. THE INDUSTRIAL USE OF WATER UNDER THIS RIGHT INCLUDES THE TREATMENT OF WASTE WATER WITH FRESH WATER.

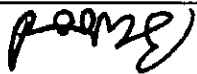
PLACE OF USE:	Industrial	Within Power County
T07S R30E S35	NENW SWNW NESW SWSW NWSE	NWNW SENW NWSW SESW SWSE
Fire Protection		
T07S R30E S35	NWSE	SWSE

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 be taken as provided by the Idaho Appellate Rules.



Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

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Department of Water Resources

200 DEC -4 PM 2:09

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

SRBA
IDAHO

In Re SRBA

Case No. 39576

) ORDER CORRECTING CLERICAL ERROR
) IN PARTIAL DECREES; I.R.C.P. 60(a)

) ORDER AMENDING PARTIAL DECREES
) NUNC PRO TUNC

) For Water Rights: 35-02603, 35-12670 and
) 35-04127

On November 17, 2000, this Court entered *Partial Decree's* for each of the three above-captioned water rights. Since the water rights were uncontested, the *Partial Decree's* were based on the *Director's Report* filed by the Idaho Department of Water Resources on January 26, 1999. The "purpose and period of use" element contained in the *Director's Report* for each water right contained the following additional language:

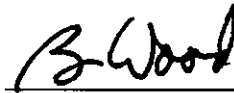
The water diverted under this right for industrial purposes must first be used in association with the potato processing plant located in T07S, R30E, S35, NWSE and SWSE. After water is used for industrial purposes in association with the potato processing plant, it may be applied to and used for the irrigation of the land described in the place of use for industrial purposes in T07S, R30E, S35, W1/2, to satisfy water quality requirements. The industrial use of water under this right includes the treatment of waster water with fresh water

The above-referenced *Partial Decree's* previously entered by this Court for each of the three water rights inadvertently omitted this language.

THEREFORE, pursuant to I.R.C.P. 60(a), IT IS HEREBY ORDERED that the *Partial Decree's* for water right's 65-12607, 65-10344, and 65-10345 are hereby amended *Nunc Pro Tunc* to correct the clerical error as set forth in the respective attached *Amended Partial Decree Pursuant to I.R.C.P. 54 (b)*.

IT IS SO ORDERED

DATED December 4, 2000, *Nunc Pro Tunc*, November 17, 2000.

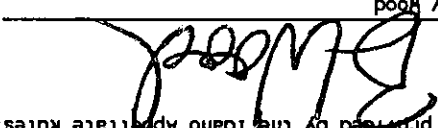


BARRY WOOD
Administrative District Judge and
Presiding Judge of the
Snake River Basin Adjudication

PAGE 1
Nov-13-2000

RULE 54(b) CERTIFICATE

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Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication