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Department of Water Resources

22 PM 4:44
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** | ) | **Subcase 32-7004** |
| | ) | |
| **Case No. 39576** | ) | |
| | ) | **ORDER OF PARTIAL DECREE TO CORRECT CLERICAL ERROR; I.R.C.P. 60(a)** |
| | ) | |
| | ) | |
| | ) | |

On October 27, 2000, a ***Partial Decree*** was issued for the above-captioned water right. The *Director's Report* for this water right contained a "shoulder remark" regarding the period of use element. There were no objections to the *Director's Report*. This remark was inadvertently omitted from the ***Partial Decree*** due to a computer error.

Therefore, pursuant to I.R.C.P. 60(a), IT IS ORDERED that the clerical error is corrected and that water right 32-7004 is hereby **decreed** as set forth in the attached ***Amended Partial Decree Pursuant to I.R.C.P. 54(b) for Water Right 32-7004.***.

This order is being entered *nunc pro tunc* as of October 27, 2000, 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: 8-22-02

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

2002 AUG 22 PM 4:44

DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO
FILED

| | | |
|---|---|---|
| In Re SRBA | ) | PARTIAL DECREE PURSUANT TO |
| | ) | I.R.C.P. 54(b) FOR |
| Case No. 39576 | ) | |
| | ) | Water Right 32-07004 |

NAME AND ADDRESS: ROBERT R RICKS
MONTEVIEW, ID 83435

REED RICKS
PO BOX 2102
MONTEVIEW, ID 83435

SOURCE: GROUNDWATER

QUANTITY: 6.06 CFS

USE OF THIS RIGHT WITH RIGHT NO. 32-07021 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 9.27 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2656.5 AF.

PRIORITY DATE: 08/05/1970

POINT OF DIVERSION: T09N R33E S13 SWSWSE Within Clark County

PURPOSE AND PERIOD OF USE:

| PURPOSE OF USE | PERIOD OF USE | QUANTITY |
|---|---|---|
| Irrigation | 05-01 TO 11-01 | 6.06 CFS |

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER WATER BEFORE APRIL 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: Irrigation — Within Clark County

| | | | |
|---|---|---|---|
| T09N R33E S12 | NESW 40.0 | NWSW 32.0 |
| | SWSW 32.0 | SESW 40.0 |
| | NESE 40.0 | NWSE 40.0 |
| | SWSE 40.0 | SESE 40.0 |
| S13 | NENE 40.0 | NWNE 40.0 |
| | SWNE 40.0 | SENE 40.0 |
| | NENW 40.0 | NWNW 30.0 |
| | SWNW 33.0 | SENW 40.0 |
| | NESE 40.0 | NWSE 40.0 |
| | SWSE 40.0 | SESE 32.0 |

759.0 Acres Total

USE OF THIS RIGHT WITH RIGHT NO. 32-07021 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 759 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 303 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

**CERTIFICATE OF MAILING**

I certify that a true and correct copy of the ORDER OF PARTIAL DECREE TO CORRECT CLERICAL ERROR IRCP 60(A) FOR WATER RIGHT 32-7116 was mailed on August 22, 2002, with sufficient first-class postage to the following:

LA VAR NEWMAN
LOUISE NEWMAN
Represented by:
BLAIR J. GROVER
215 FARNSWORTH WAY
PO BOX 36
RIGBY, ID 83442-0036
Phone: 208-745-6653

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

 Robbin Glatz Deputy Clerk

2000 OCT 27 PM 02:00
DISTRICT COURT - SRBA
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MONTEVIEW, ID 83435

ROBERT R RICKS
MONTEVIEW, ID 83435

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| T09N R33E S12 | NESW 40.0 | NWSW 32.0 |
| | SWSW 32.0 | SESW 40.0 |
| | NESE 40.0 | NWSE 40.0 |
| | SWSE 40.0 | SESE 40.0 |
| S13 | NENE 40.0 | NWNE 40.0 |
| | SWNE 40.0 | SENE 40.0 |
| | NENW 40.0 | NWNW 30.0 |
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Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

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B Wood

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