

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 22-10777

NAME AND ADDRESS: SUMMERCO INC
27 N 3000 E
SUGAR CITY, ID 83448

SOURCE: GROUND WATER

QUANTITY: 9.68 CFS
1694.00 AFY

PRIORITY DATE: 06/01/1962

POINT OF DIVERSION: T06N R40E S26 SENWNE Within Madison County
NESWSW

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 04-01 TO 10-31 9.68 CFS
1694.00 AFY

PLACE OF USE: Irrigation Within Madison County
T06N R40E S22 NENE 5.2 SWNE 1.6
SENE 31.0 NESE 36.0
NWSE 8.4 SWSE 4.8
SESE 37.0
S23 NENE 12.0 SWNE 4.0
SENE 39.0 SWSW 40.0
SESW 40.0 NESE 39.0
NWSE 21.0 SWSE 39.0
SESE 39.0
S24 NESE 35.0 NWSE 18.0
SWSE 26.0 SESE 39.0
S25 NENE 40.0 NWNE 24.0
SWNE 29.0 SENE 38.0
NESW 29.0 NWSW 40.0
SWSW 39.0 SESW 38.0
NESE 12.0 NWSE 39.0
SWSE 15.0
S26 NENE 40.0 NWNE 40.0
SWNE 40.0 SENE 40.0
NENW 40.0 NWNW 39.0
SWNW 40.0 SENW 40.0
1177.0 Acres Total

The rights listed below are limited to the irrigation of a
combined total of 1177 acres in a single irrigation season.
Combined Right Nos.: 22-2258A, 22-2295, 22-10646, 22-10777
This right is limited to the irrigation of 484 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.

DRAFT

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the NOTICE OF COURT'S INTENT TO ISSUE AMENDED PARTIAL DECREE TO CORRECT CLERICAL ERROR AND NOTICE OF HEARING THEREON was mailed on October 29, 2009, with sufficient first-class postage to the following:

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

SUMMERCO INC
27 N 3000 E
SUGAR CITY, ID 83448
Phone: 208-356-7314

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line.