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JUN 30 2011

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUN 29 2011	
By _____	Clerk
_____	Deputy Clerk

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

ORDER OF PARTIAL DECREES

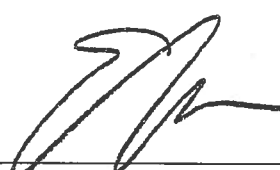
Subcases: 22-02258A & 22-02258B
(Summerco Inc. / Summers Farm & Ranch Inc.)

On May 5, 2011, a *Special Master's Report and Recommendation* was filed for the above-captioned water rights. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that the above-captioned water rights are hereby **decreed** as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED June 29, 2011.


ERIC J. WILDMAN
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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 22-02258A

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

SOURCE: GROUND WATER

QUANTITY: 3.10 CFS
542.50 AFY

PRIORITY DATE: 08/26/1965

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

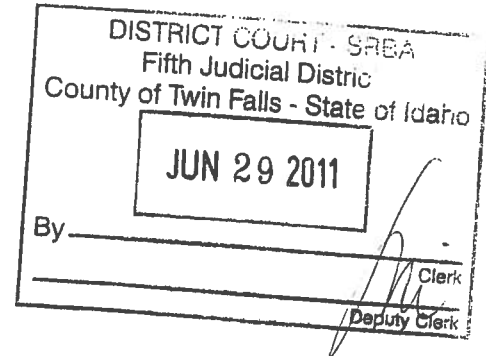
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	3.10 CFS 542.50 AFY

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 155 acres within the place of use described above in a single irrigation season.

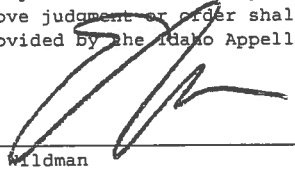
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

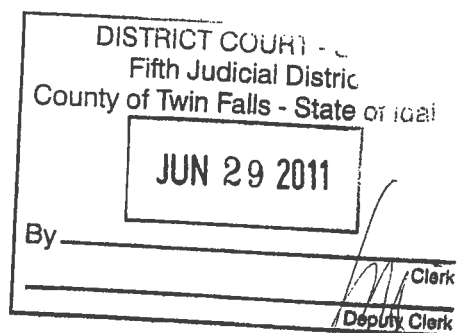
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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.



Eric J. Wildman
Presiding Judge of the
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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 22-02258B



NAME AND ADDRESS: SUMMERS FARM & RANCH INC
C/O DANNY SUMMERS
1500 S 3000 E
SUGAR CITY, ID 83448

SOURCE: GROUND WATER

QUANTITY: 1.58 CFS
276.50 AFY

Right Nos. 22-2238, 22-2258B and 22-11318 are limited to a total
combined diversion rate of 5.24 cfs and to a total combined
annual diversion volume of 2224.2 AF.

PRIORITY DATE: 08/26/1965

POINT OF DIVERSION: T06N R40E S26 NESWSW Within Madison County
S35 SENW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.58 CFS 276.50 AFY

PLACE OF USE:	Irrigation	Within Madison County
T06N R40E S27	SENE 10.0	NESE 27.0
	SESE 27.0	
S34	NENE 28.0	SWNE 0.2
	SENE 22.0	SENE 0.2
	NESW 40.0	NWSW 4.2
	SWSW 4.4	SESW 37.0
	NESE 24.0	NWSE 40.0
	SWSE 38.0	SESE 20.0
S35	NENE 39.0	NWNE 40.0
	SWNE 40.0	SENE 38.0
	NENW 37.0	NWNW 39.0
	SWNW 39.0	SENE 40.0
	NESW 16.0	NWSW 39.0
	SWSW 37.0	SESW 37.0
	NESE 20.0	NWSE 31.0
	SWSE 38.0	SESE 18.0
870.0 Acres Total		

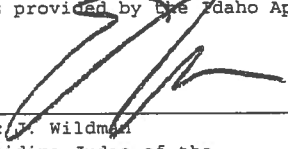
The rights listed below are limited to the irrigation of a
combined total of 870 acres in a single irrigation season.
Combined Right Nos.: 22-2238, 22-2258B, 22-11318.
This right is limited to the irrigation of 79 acres within the
place of use described above in a single irrigation season.

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.



Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on June 29, 2011, with sufficient first-class postage to the following:

KELLY SUMMERS
SUMMERCO INC
SUMMERS FARM & RANCH INC

Represented by:
JERRY R. RIGBY
25 N 2ND E
PO BOX 250
REXBURG, ID 83440-0250
Phone: 208-356-3633

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

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line. The signature is in dark ink and is positioned to the right of the printed text "Deputy Clerk".