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MAY 10 2011

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

MAY - 9 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 AMENDED PARTIAL DECREES
) TO CORRECT CLERICAL ERROR;
) I.R.C.P. 60(a)

) For Water Rights: 45-00259, 45-00287
) and 45-00528
) (Black Jack Ranch Inc.)

On September 7, 2004, the Idaho Department of Water Resources filed its *Director's Report for Basin 45, Reporting Area 10, Irrigation and Other Water Rights*, which included recommendations for the above-captioned rights. No objections were filed. On March 4, 2011, *Partial Decrees Pursuant to I.R.C.P. 54(b)* were issued for the said water rights.

On April 27, 2011, the Court received correspondence from the Idaho Department of Water Resources stating that language consistent with the *Director's Reports* was omitted from the "Other Provisions" portion on each of the above-captioned *Partial Decrees* as follows: **The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.** In reviewing the file and each of the *Director's Reports* for said rights, the Court finds this to be the result of clerical error.

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 The previously issued *Partial Decrees* are replaced and superseded thereby.

DATED: May 9, 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

AMENDED

In Re SRBA)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 45-00259

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

MAY - 9 2011

By _____ Clerk
_____ Deputy Clerk

NAME AND ADDRESS: BLACK JACK RANCH INC
PO BOX 177
ALBION, ID 83311

SOURCE: ROSE CREEK TRIBUTARY: MARSH CREEK

QUANTITY: 0.60 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE. COMBINED RIGHT NOS. 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707.

PRIORITY DATE: 03/01/1875

POINT OF DIVERSION: T12S R25E S17 SENWSE (Rediversion) Within Cassia County
S20 NENWNE (Rediversion)
SENWNE (Injection)
S30 NWNENE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.60 CFS
	Stockwater	04-01 TO 10-31	0.05 CFS

The use of water for irrigation under this right may begin as early as March 15 provided other elements of the right are not exceeded. The use of water before April 1 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE:	Irrigation		Within Cassia County
	T12S R25E S08	NWSE 8.5	SWSE 34.0
	S09	NESW 38.0	NWSW 41.0
		SWSW 32.0	SESW 39.0
	S17	NWNE 39.0	SWNE 41.0
		SENE 40.0	NWNW 36.0
		SWNW 41.0	SENW 41.0
		NESW 40.0	NWSW 41.0
		SWSW 19.0	SESW 24.0
		NESE 40.0	NWSE 40.0
		SWSE 38.0	SESE 40.0
	S20	NENE 20.0	
	732.5 Acres Total		

Stockwater		Within Cassia County
T12S R25E S08	NESE	NWSE
	SWSE	
S09	NESW	NWSW
	SWSW	SESW
S17	NWNE	SWNE
	SENE	NWNW
	SWNW	SENW
	NESW	NWSW
	SWSW	SESW

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

	NESE	NWSE
	SWSE	SESE
S20	NENE	SENE

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 732.5 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 80 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

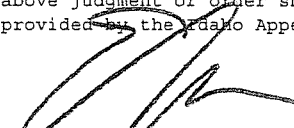
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed 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.


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

AMENDED

In Re SRBA)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 45-00287

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

MAY - 9 2011

By _____ Clerk

Deputy Clerk

NAME AND ADDRESS: BLACK JACK RANCH INC
PO BOX 177
ALBION, ID 83311

SOURCE: ROSE CREEK TRIBUTARY: MARSH CREEK

QUANTITY: 1.40 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE. COMBINED RIGHT NOS. 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707.

PRIORITY DATE: 06/05/1875

POINT OF DIVERSION: T12S R25E S17 SENWSE (Rediversion) Within Cassia County
S20 NENWNE (Rediversion)
SENWNE (Injection)
S30 NWNENE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.40 CFS
	Stockwater	04-01 TO 10-31	0.05 CFS

The use of water for irrigation under this right may begin as early as March 15 provided other elements of the right are not exceeded. The use of water before April 1 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE:	Irrigation		Within Cassia County
	T12S R25E S08	NESE 30.0	NWSE 30.0
		SWSE 40.0	
	S09	NESW 35.0	NWSW 35.0
		SWSW 35.0	SESW 35.0
	S17	NWNE 40.0	SWNE 40.0
		SENE 40.0	NWNW 35.0
		SWNW 40.0	SENW 40.0
		NESW 40.0	NWSW 40.0
		SWSW 40.0	SESW 40.0
		NESE 40.0	NWSE 40.0
		SWSE 40.0	SESE 40.0
	S20	NENE 40.0	SENE 40.0
	875.0 Acres Total		

	Stockwater		Within Cassia County
	T12S R25E S08	NESE	NWSE
		SWSE	
	S09	NESW	NWSW
		SWSW	SESW
	S17	NWNE	SWNE
		SENE	NWNW
		SWNW	SENW
		NESW	NWSW

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

	SWSW	SESW
	NESE	NWSE
	SWSE	SESE
S20	NENE	SENE

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 732.5 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

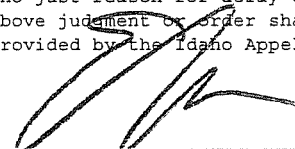
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed 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.


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

AMENDED

In Re SRBA)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 45-00528

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

MAY - 9 2011

By _____ Clerk
_____ Deputy Clerk

NAME AND ADDRESS: BLACK JACK RANCH INC
PO BOX 177
ALBION, ID 83311

SOURCE: ROSE CREEK TRIBUTARY: MARSH CREEK

QUANTITY: 0.60 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day. WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE. COMBINED RIGHT NOS. 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707.

PRIORITY DATE: 03/01/1875

POINT OF DIVERSION: T12S R25E S17 SENWSE (Rediversion) Within Cassia County
S20 SENWNE (Injection)
NENWNE (Rediversion)
S30 NWNENE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.60 CFS
	Stockwater	04-01 TO 10-31	0.05 CFS

The use of water for irrigation under this right may begin as early as March 15 provided other elements of the right are not exceeded. The use of water before April 1 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: Irrigation Within Cassia County

T12S R25E S08	NWSE 8.5	SWSE 34.0
S09	NESW 38.0	NWSW 41.0
	SWSW 32.0	SESW 39.0
S17	NWNE 39.0	SWNE 41.0
	SENE 40.0	NWNW 36.0
	SWNW 41.0	SENW 41.0
	NESW 40.0	NWSW 41.0
	SWSW 19.0	SESW 24.0
	NESE 40.0	NWSE 40.0
	SWSE 38.0	SESE 40.0
S20	NENE 20.0	
732.5 Acres Total		

Stockwater Within Cassia County

T12S R25E S08	NESE	NWSE
	SWSE	
S09	NESW	NWSW
	SWSW	SESW
S17	NWNE	SWNE
	SENE	NWNW
	SWNW	SENW
	NESW	NWSW
	SWSW	SESW

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

	NESE	NWSE
	SWSE	SESE
S20	NENE	SENE

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 732.5 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 45-236, 45-240, 45-246B, 45-259, 45-285A, 45-287, 45-290, 45-291, 45-518, 45-519, 45-528, 45-706, and 45-707.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 40 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

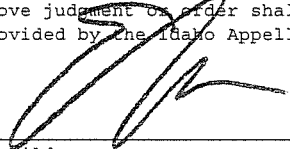
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed 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.



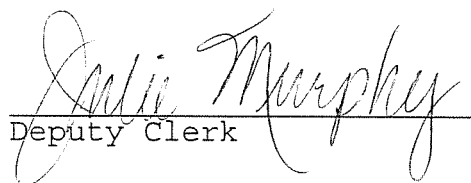
Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF AMENDED PARTIAL DECREES TO CORRECT CLERICAL ERROR; I.R.C.P. 60(A) was mailed on May 09, 2011, with sufficient first-class postage to the following:

BLACK JACK RANCH INC
PO BOX 177
ALBION, ID 83311
Phone: 208-673-6634

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".