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FEB 25 2011

DEPARTMENT OF
WATER RESOURCES

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

FEB 24 2011

By

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE

Clerk
Deputy Clerk

STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

)
)
) Subcases: See Attached Exhibit A

)
) ORDER OF AMENDED PARTIAL
) DECREES TO CORRECT CLERICAL
) ERROR
)
)
)

_____)
A *Partial Decree* was issued for water right 63-02724B on February 6, 2009. *Partial Decrees* were issued for water rights 63-32382, 63-32383 and 63-32384 on February 19, 2009. A *Partial Decree* was issued for water right 63-07610C on April 3, 2009, and *Partial Decrees* were issued for water rights 63-31395 and 63-32381 on April 29, 2009. All of the above-captioned water rights proceeded uncontested in the SRBA. On February 18, 2011, the Court received correspondence from the Idaho Department of Water Resources ("Department") notifying the Court that the *Partial Decrees* for the above-captioned water rights contain an error with respect to the placement of a the following remark:

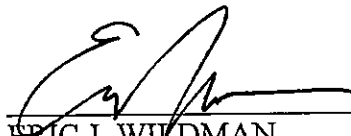
All parts of original licensed rights 63-2724 and 63-7610 when combined shall not exceed a total diversion rate of 3.90 cfs.

The subject remark was contained in the "Explanatory Material" portion of the *Director's Report* for the above-captioned water rights, when the remark should have been recommended and included in the *Partial Decrees* under the quantity element. This Court finds this to be the result of a clerical error. Combined use remarks, as a matter of course in the SRBA, are included under the quantity element in the subject *Partial Decrees*. Placement of combined use remarks under the quantity element is generally necessary for proper administration. The Department has represented to this Court that all claimants of the above-captioned water rights have been informed of the clerical error,

and that all claimants were provided with a copy of the February 18, 2011 correspondence.

THEREFORE IT IS HEREBY ORDERED that pursuant to I.R.C.P. 60(a) the *Partial Decrees* previously issued for the above-captioned water rights are hereby **amended and 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: February 24, 2011.

A handwritten signature in black ink, appearing to read 'Eric J. Wildman', is written over a horizontal line.

ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

EXHIBIT A

Subcase Nos:

63-02724B

63-07610C

63-31395

63-32381

63-32382

63-32383

63-32384

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 63-02724B

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

FEB 24 2011

By

Clerk

Clerk

NAME AND ADDRESS:

AGENBROAD NAMPA LIMITED
PARTNERSHIP
PO BOX 455
GRAND VIEW, ID 83624

SOURCE:

GROUND WATER

QUANTITY:

1.04 CFS
534.00 AFY

All parts of original licensed Rights 63-2724 and 63-7610 when
combined shall not exceed a total diversion rate of 3.90 cfs.

PRIORITY DATE:

10/12/1948

POINT OF DIVERSION:

T02N R02W S27

NWNE

Within Canyon County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
Irrigation

PERIOD OF USE
03-01 TO 11-15

QUANTITY
1.04 CFS
534.00 AFY

PLACE OF USE:

Irrigation
T02N R02W S22

SESW 40.0
SESE 40.0

Within Canyon County
SWSE 40.0

120.0 Acres Total

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

AMENDED

In Re SRBA)
Case No. 39576)
_____)

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

Water Right 63-07610C

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

FEB 24 2011

NAME AND ADDRESS: HOWARD W MYLANDER
11600 W FLOATING FEATHER RD
STAR, ID 83669

SOURCE: GROUND WATER

QUANTITY: 0.39 CFS
90.00 AFY

All parts of original licensed Rights 63-2724 and 63-7610 when
combined shall not exceed a total diversion rate of 3.90 cfs.

PRIORITY DATE: 06/12/1972

POINT OF DIVERSION: T02N R02W S27 NWNWNE Within Canyon County
NESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.39 CFS 90.00 AFY

The use of water for irrigation under this right may begin as
early as March 1 and may continue to as late as November 15,
provided other elements of the right are not exceeded. The use
of water before April 1 and after October 31 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.

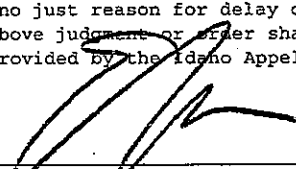
PLACE OF USE: Irrigation Within Canyon County
T02N R02W S27 NENE 20.0
20.0 Acres Total

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).

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judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

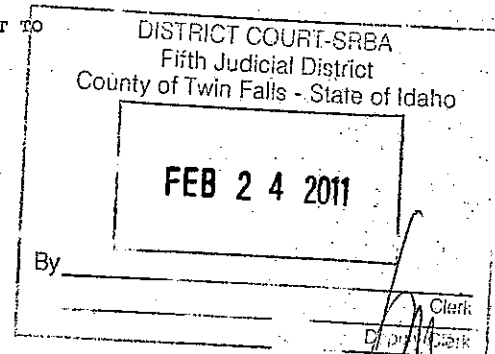

Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

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 63-31395



NAME AND ADDRESS: RONALD I BLICKENSTAFF
7488 LYNWOOD RD
NAMPA, ID 83686

SOURCE: GROUND WATER

QUANTITY: 1.80 CFS
405.00 AFY

All parts of original licensed Rights 63-2724 and 63-7610 when
combined shall not exceed a total diversion rate of 3.90 cfs.

PRIORITY DATE: 06/12/1972

POINT OF DIVERSION: T02N R02W S27 NESE Within Canyon County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.80 CFS 405.00 AFY

The use of water for irrigation under this right may begin as
early as March 1 and may continue to as late as November 15,
provided other elements of the right are not exceeded. The use
of water before April 1 and after October 31 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 Canyon County
	T02N R02W S27	SENE 30.0 SESE 20.0
	90.0 Acres Total	

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. Weidman
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 63-32381

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

FEB 24 2011

By

Clerk
Deputy Clerk

NAME AND ADDRESS: HOWARD W MYLANDER
11600 W FLOATING FEATHER RD
STAR, ID 83669

SOURCE: GROUND WATER

QUANTITY: 0.09 CFS
44.50 AFY

All parts of original licensed Rights 63-2724 and 63-7610 when
combined shall not exceed a total diversion rate of 3.90 cfs.

PRIORITY DATE: 10/12/1948

POINT OF DIVERSION: T02N R02W S27 NWNWNE Within Canyon County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	0.09 CFS 44.50 AFY

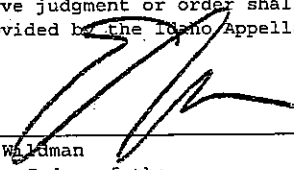
PLACE OF USE: Irrigation Within Canyon County
T02N R02W S27 NENW 10.0
10.0 Acres Total

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. Waldman
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

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

Water Right 63-32382

In Re SRBA)

Case No. 39576)

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

FEB 24 2011

NAME AND ADDRESS: BULLOCK-KING INVESTMENTS LLC
JTAP LLC
3615 PORTLAND AVE
NAMPA, ID 83686

SOURCE: GROUND WATER

QUANTITY: 0.08 CFS
40.00 AFY

All parts of original licensed Rights 63-2724 and 63-7610 when
combined shall not exceed a total diversion rate of 3.90 cfs.

PRIORITY DATE: 10/12/1948

POINT OF DIVERSION: T02N R02W S27 NWNWNE Within Canyon County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	0.08 CFS 40.00 AFY

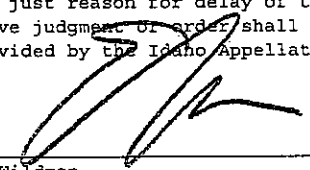
PLACE OF USE: Irrigation Within Canyon County
T02N R02W S27 NWNE 9.0
9.0 Acres Total

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

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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)

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

Case No. 39576)

Water Right 63-32383

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

FEB 24 2011

By

NAME AND ADDRESS:

B&F INC
JTAP LLC
3615 PORTLAND AVE
NAMPA, ID 83686

SOURCE:

GROUND WATER

QUANTITY:

0.04 CFS
22.30 AFY

All parts of original licensed Rights 63-2724 and 63-7610 when
combined shall not exceed a total diversion rate of 3.90 cfs.

PRIORITY DATE:

10/12/1948

POINT OF DIVERSION:

T02N R02W S27

NWNWNE Within Canyon County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
Irrigation

PERIOD OF USE
03-01 TO 11-15

QUANTITY
0.04 CFS
22.30 AFY

PLACE OF USE:

Irrigation

T02N R02W S27

NWNE 5.0

5.0 Acres Total

Within Canyon County

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
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Eric J. Waldman
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 63-32384

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

FEB 24 2011

NAME AND ADDRESS: BULLOCK-KING INVESTMENTS LLC
JTAP LLC
3615 PORTLAND AVE
NAMPA, ID 83686

SOURCE: GROUND WATER

QUANTITY: 0.48 CFS
249.20 AFY

All parts of original licensed Rights 63-2724 and 63-7610 when
combined shall not exceed a total diversion rate of 3.90 cfs.

PRIORITY DATE: 10/12/1948

POINT OF DIVERSION: T02N R02W S27 NWNNE Within Canyon County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	0.48 CFS 249.20 AFY

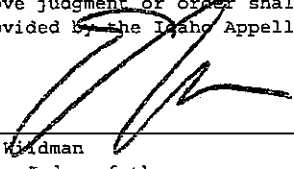
PLACE OF USE: Irrigation Within Canyon County
T02N R02W S27 NWNE 26.0 NENW 30.0
56.0 Acres Total

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
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judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Eric J. Windman
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 was mailed on February 24, 2011, with sufficient first-class postage to the following:

AGENBROAD NAMPA LIMITED
PARTNERSHIP
PO BOX 455
GRAND VIEW, ID 83624
Phone: 208-834-2469

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

HOWARD W MYLANDER
11600 W FLOATING FEATHER RD
STAR, ID 83669
Phone: 208-465-7730

B&F INC
BULLOCK-KING INVESTMENTS LLC
JTAP LLC
3615 PORTLAND AVE
NAMPA, ID 83686
Phone: 208-466-9315

RONALD I BLICKENSTAFF
7488 LYNWOOD RD
NAMPA, ID 83686
Phone: 208-466-3828

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