

RECEIVED
JAN 25 2010
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JAN 21 2010	
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

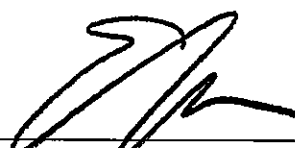
Case No. 39576

)
) ORDER OF AMENDED PARTIAL
) DECREE TO CORRECT CLERICAL
) ERROR; I.R.C.P. 60(a)
)
) Water Right No.: 22-10777
)

A *Partial Decree* was issued for the above-captioned water right on November 24, 2008. On October 28, 2009, the Court received correspondence from the Idaho Department of Water Resources regarding a clerical error in the point of diversion element. A *Notice of Court's Intent to Correct Clerical Error* with proposed corrections was served on the claimant, any parties to the prior subcase and notice provided pursuant to docket sheet notice. A hearing was held on the *Notice of Court's Intent to Correct Clerical Error* on January 19, 2010. No party appeared in opposition to the Court's proposed action in correcting the error. The Court found the error to be the result of a clerical error.

Therefore, pursuant to I.R.C.P. 60(a), IT IS ORDERED that the above-captioned water right is hereby **amended and decreed** as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b)*. The previously issued *Partial Decree* is replaced and superseded thereby.

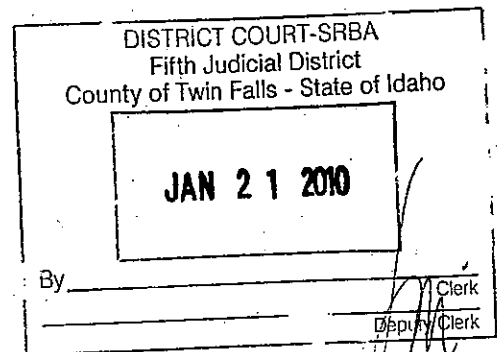
DATED: January 21, 2010.



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 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	

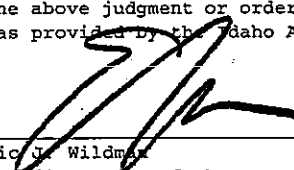
The rights listed below are limited to the irrigation of a combined total of 1177 acres in a single irrigation season. Combined Right Nos.: 22-2258A, 22-2295, 22-10646, 22-10777. This right is limited to the irrigation of 484 acres within the place of use described above in a single irrigation season.

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.



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 DECREE TO CORRECT CLERICAL ERROR; I.R.C.P. 60(A) was mailed on January 21, 2010, 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, appearing to read "Julie Murphy", is written over a horizontal line. The signature is fluid and stylized, with the first and last names being clearly legible.