

RECEIVED

JAN 13 2010

DEPARTMENT OF
WATER RESOURCES

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

JAN 12 2010

By

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**
) **ERRORS: I.R.C.P. 60(a)**
)
) **For water right: 37-21735**
)

A *Partial Decree* was issued for the above-captioned water right on December 14, 2009. On January 12, 2010, the Court received correspondence from the office of James P. Speck, Attorney at Law, notifying the Court that the *Partial Decree* was not consistent with the *Notice of Completed Administrative Proceeding* and attached *Amended Director's Report*, filed on September 22, 2009. In reviewing the file, the Court finds this to be the result of a clerical error.

Therefore, pursuant to I.R.C.P. 60(a), IT IS ORDERED that water right 37-21735 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 The previously issued *Partial Decree* is replaced and superseded thereby.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 12, 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 37-21735

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

JAN 12 2010

By _____

Clerk
Deputy Clerk

NAME AND ADDRESS: IDAHO RANCH LLC
2296 CHANNEL RD
NEWPORT BEACH, CA 92661

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.24 CFS

Rights 37-21733, 37-21734, 37-21735, 37-21736 and 37-8896 when combined shall not exceed a total diversion rate of 0.40 cfs and a total annual maximum diversion volume of 290.0 af at the field headgate.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands herein.

PRIORITY DATE: 08/15/1902

POINT OF DIVERSION: T02N R18E S35 NWNWNE Within Blaine County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.24 CFS

PLACE OF USE: Irrigation Within Blaine County
T02N R18E S35 SWNE 14.0
14.0 Acres Total

Right Nos. 37-21733 and 37-21735 are limited to the irrigation of a combined total of 14 acres in a single irrigation season. Rights 37-21733, 37-21734, 37-21735, 37-21736, 37-8058 and 37-8143 when combined shall not exceed the irrigation of 20.3 acres.

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

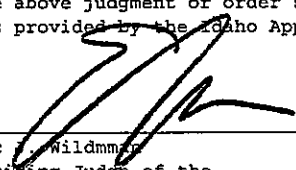
Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

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 L. 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 was mailed on January 12, 2010, with sufficient first-class postage to the following:

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

IDAHO RANCH LLC
2296 CHANNEL RD
NEWPORT BEACH, CA 92661
Phone: 949-675-1590

ORDER

Page 1 1/12/10

FILE COPY FOR 01824


Deputy Clerk