

M E M O R A N D U M

Date: November 06, 2007
To: Water Right File 36-2373
From: cpadilla
Re: Amended Decree

Original decree listed part of POU in T08S R19E Sec 36 and it should be T08S R18E Sec 36. Updated database and Arcview to reflect amendment.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 36-2373

WATER RIGHT NUMBER: 36-2373

<u>Owner Type</u>	<u>Name and Address</u>
Directors Report Owner	DON MC FARLAND
Attorney	WILLIAM R HOLLIFIELD
Original Owner	WALKER FARMS PARTNERSHIP
Directors Report Owner	CAROL MC FARLAND
Current Owner	BIG SKY FARMS LTD PARTNERSHIP
Attorney	ROBERT E WILLIAMS

Priority Date: 01/16/1959

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	3.220 CFS	1,424.00 AF
	<u>Total Diversion:</u>	3.220 CFS	1,424.00 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4SE1/4	Sec. 36, Twp 08S, Rge 18E, B.M.
JEROME County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	19E	31							12.0	10.0	27.0	21.0							70.0
									L 2			L 3							
08S	19E	36	16.0	34.0	40.0	36.0								40.0	40.0	40.0	40.0	286.0	

Total Acres: 356

Conditions of Approval:

1. C18 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. SECTION 42-1412(6), IDAHO CODE.

Remarks:

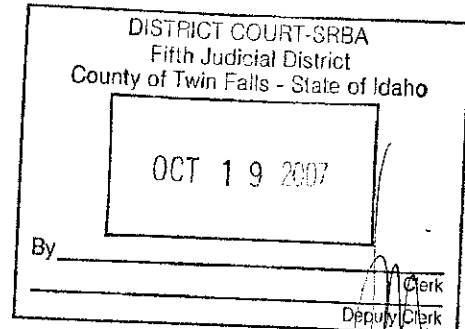
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

AMENDED

In Re SRBA)
)
Case No. 39576)
)

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

Water Right 36-02373



NAME AND ADDRESS: WALKER FARMS PARTNERSHIP
3794 E 3600 W
HANSEN, ID 83334

SOURCE: GROUNDWATER

QUANTITY: 3.22 CFS
1424.00 AFY

PRIORITY DATE: 01/16/1959

POINT OF DIVERSION: T08S R18E S36 SWNESE Within Jerome County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	3.22 CFS 1424.00 AFY

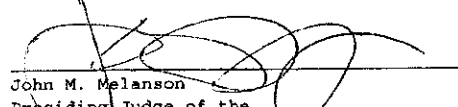
PLACE OF USE:	Irrigation	Within Jerome County
T08S R18E S36	NENE 16.0 SWNE 40.0 NESE 40.0 SWSE 40.0	NWNE 34.0 SENE 36.0 NWSE 40.0
R19E S31 LOT 2	(SWNW) 12.0	SENW 10.0
S36	NESW 27.0	LOT 3 (NWSW) 21.0
SESE 40.0		
356.0 Acres Total		

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.


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

DEPARTMENT OF
WATER RESOURCES

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

OCT 19 2007

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)**

For Water Right: 36-02373

A ***Partial Decree*** was previously issued for the above-captioned water right on November 14, 2005. On July 2, 2007, the Court issued a *Notice of Court's Intent to Issue Amended Partial Decree and Notice of Hearing Thereon* to correct a recently discovered clerical error in a legal description. A hearing was held on the *Court's Notice of Intent* on October 16, 2007. No party appeared in opposition to the Court's intended action.

Therefore, IT IS ORDERED pursuant to I.R.C.P. 60(a), that the *Partial Decree* previously issued for water right 36-02373 is hereby **amended and decreed** as set forth in the attached *Amended Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED:

Oct. 18, 2007

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

ORDER OF AMENDED PARTIAL DECREE TO CORRECT CLERICAL ERROR; I.R.C.P 60(a)

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 October 19, 2007, with sufficient first-class postage to the following:

STATE OF IDAHO

Represented by:
CLIVE STRONG
NATURAL RESOURCES
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720-0010
Phone: 208-334-2400

CAROL & DON MC FARLAND
WALKER FARMS PARTNERSHIP

Represented by:
WILLIAM R HOLLIFIELD
249 THIRD AVENUE EAST (83301)
PO BOX 66
TWIN FALLS, ID 83303-0066
Phone: 208-734-5610

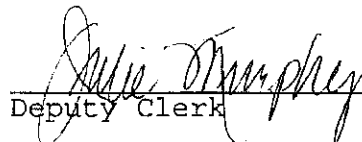
DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

ORDER

Page 1 10/19/07

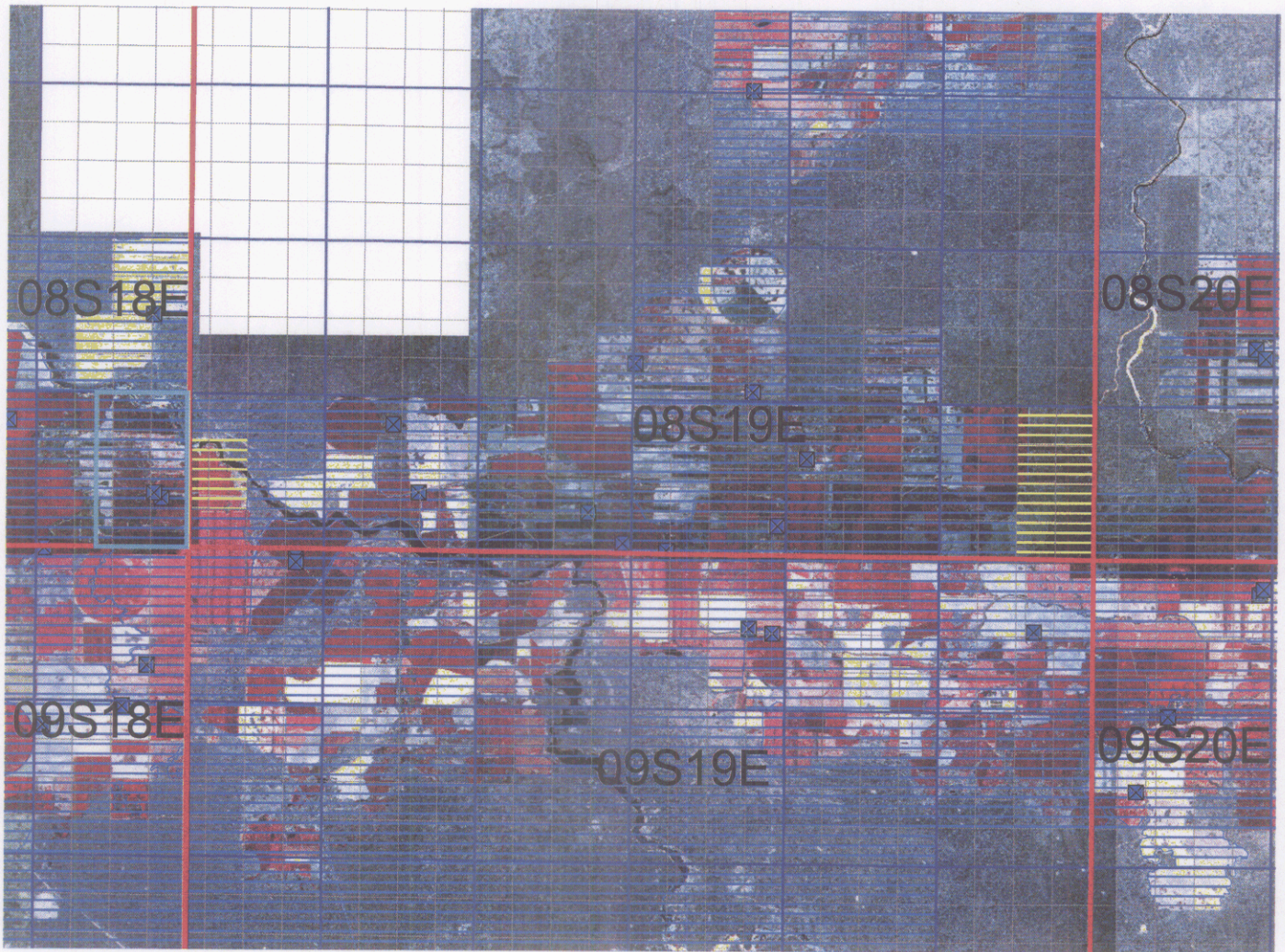
FILE COPY FOR 00717

Deputy Clerk

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

36-2373

Initial Decree



-  Township/Range
-  Sections
-  GCDB09S20E GCDB
-  GCDB09S19E GCDB
-  GCDB09S18E GCDB
-  GCDB08S20E GCDB
-  GCDB08S19E GCDB
-  GCDB08S18E GCDB
-  Recommendation POD
-  Recommendation POU

Blue Polygon
Roughly where
east acres goes

