

RECEIVED

JAN 18 2007

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

2007 JAN 17 PM 1 08

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: 35-02877**

A *Partial Decree* was issued for the above-captioned water right on January 31, 2002. On October 23, 2006, the Court issued a *Notice of Court's Intent to Issue Amended partial Decree and Notice of Hearing Thereon* to correct a clerical error. A hearing was held on the *Court's Notice of Intent* on January 16, 2007. No objections were filed and no party appeared in opposition to the Court's proposed action.

Therefore, IT IS HEREBY ORDERED that pursuant to I.R.C.P. 60(a) the *Partial Decree* previously issued for water right **35-02877** is hereby **amended and decreed** as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED: Jan. 17, 2007

John M. Melanson

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

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)
)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 35-02877

FILED
2007 JAN 17 PM 1 08

NAME AND ADDRESS: FOSTER LAND & CATTLE CO
PO BOX 308
RIGBY, ID 83442

SOURCE: GROUNDWATER

QUANTITY: 5.33 CFS
1220.00 AFY

PRIORITY DATE: 04/27/1967

POINT OF DIVERSION: T04N R35E S10 SENESE Within Jefferson County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation		04-01 TO 11-01	5.33 CFS 1220.00 AFY

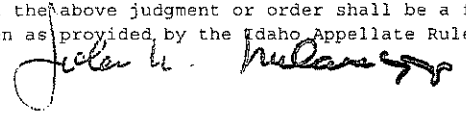
PLACE OF USE:	Irrigation	Within Jefferson County
T04N R35E S10	NESW 40.0 SWSW 40.0 NESE 29.0 SWSE 40.0	NWSW 37.0 SESW 40.0 NWSE 39.0 SESE 40.0
305.0 Acres Total		

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