

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

JAN 17 2007

By _____ Clerk

Deputy Clerk

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

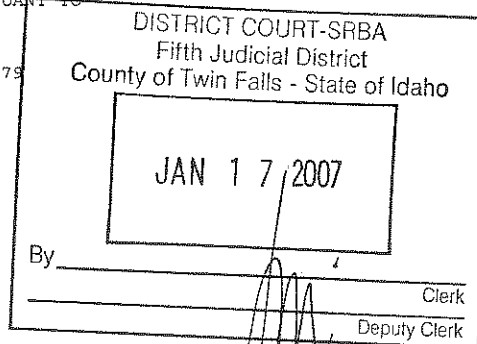
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

SECOND AMENDED

In Re SRBA)
)
Case No. 39576)
_____)

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

Water Right 29-02379



NAME AND ADDRESS: CARL L PHILLIPS
NOLA RAE PHILLIPS
2884 W 1400 S
ABERDEEN, ID 83210

SOURCE: GROUND WATER

QUANTITY: 2.56 CFS
1337.70 AFY

THE RIGHTS LISTED BELOW ARE LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 7.65 CFS. COMBINED RIGHT NOS.: 29-30, 29-31,
29-13320, 29-13321 AND 29-2379.

PRIORITY DATE: 10/22/1956

POINT OF DIVERSION: T07S R39E S17 NWSW Within Caribou County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	04-01 TO 10-31	2.56 CFS
		1337.07 AFY
Stockwater	01-01 TO 12-31	0.09 CFS

PLACE OF USE:

	Irrigation		Within Caribou County
T07S R38E S24 LOT 1	(NENE) 1.6	LOT 2	(SENE) 2.8
R39E S17	NWSW 38.0		SWSW 40.0
S18	NESE 5.6		SESE 4.8
S19	NENE 16.0		SWNE 28.0
	SENE 40.0	LOT 2	(SENW) 4.5
LOT 3	(NESW) 13.0	LOT 4	(SESW) 3.3
	NESE 37.0		NWSE 21.0
	SWSE 7.2		SESE 1.4
S20	NWNW 40.0		SWNW 40.0
	NWSW 38.0		
382.2 Acres Total			

Stockwater Within Caribou County
Same as Irrigation

THE RIGHTS LISTED BELOW ARE LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 382.2 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 29-30, 29-31, 29-13320, 29-13321 AND
29-2379.

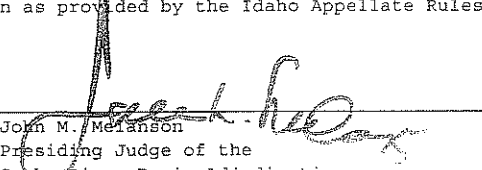
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

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

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF SECOND AMENDED PARTIAL DECREE TO CORRECT CLERICAL ERROR; I.R.C.P. 60(A) was mailed on January 17, 2007, with sufficient first-class postage to the following:

CARL & NOLA PHILLIPS
CARL L PHILLIPS
NOLA RAE PHILLIPS

Represented by:
RANDALL C BUDGE
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PO BOX 1391
POCATELLO, ID 83204-1391
Phone: 208-232-6101

DIRECTOR OF IDWR
PO BOX 83720
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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 name "Julie" and last name "Murphy" clearly distinguishable.