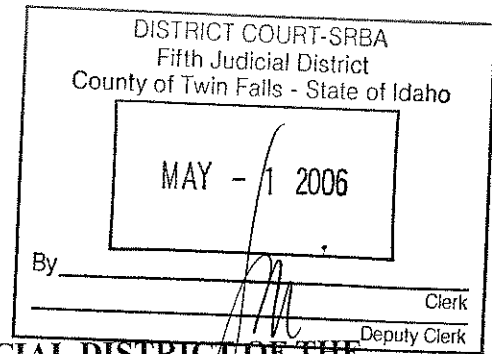




IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

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

For Water Right 35-04209

A *Partial Decree* was issued for the above-captioned municipal water right on September 15, 1998. On January 11, 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 in the description for the place of use element. The Court discovered that certain of the uncontested municipal water right claims failed to describe the place of use as being within the service area of the municipality. Additionally, if the place of use also contained a public land survey legal description for the place of use, the Court omitted the legal description based on the determination that the manner in which the place of use is now described eliminates the need for a specific legal description and takes into account that the service area of a municipality routinely changes. A hearing was held on the matter on April 18, 2006. No objections were filed nor did any party appear 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 **35-04209** is hereby amended and **decreed** as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED May 1, 2006.

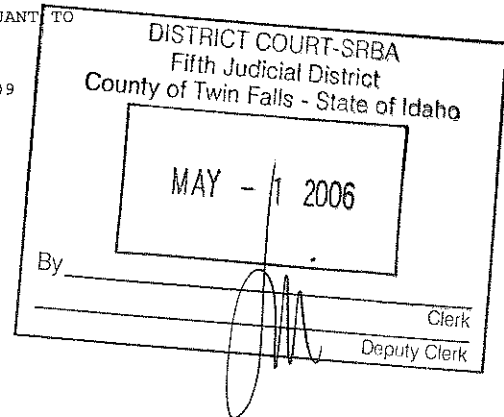

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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 35-04209



NAME AND ADDRESS: CITY OF ATOMIC CITY
PO BOX 34
ATOMIC CITY, ID 83215

SOURCE: GROUNDWATER

QUANTITY: 0.27 CFS
28.00 AFY

PRIORITY DATE: 08/01/1952

POINT OF DIVERSION: T01N R31E S03 NWSW Within Bingham County

PURPOSE AND	PURPOSE OF USE	PERIOD OF USE	QUANTITY
PERIOD OF USE:	Municipal	01-01 TO 12-31	0.27 CFS 28.00 AFY

PLACE OF USE:
PLACE OF USE IS WITHIN THE SERVICE AREA OF THE CITY OF ATOMIC
CITY MUNICIPAL WATER SUPPLY SYSTEM AS PROVIDED FOR UNDER
IDAHO LAW

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

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF AMENDED PARTIAL DECREES TO CORRECT CLERICAL ERROR; I.R.C.P. 60(A) was mailed on May 01, 2006, with sufficient first-class postage to the following:

CITY OF ATOMIC CITY
PO BOX 34
ATOMIC CITY, ID 83215
Phone: 208-684-4037

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

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line. The signature is in dark ink and is positioned to the right of the printed text "Deputy Clerk".