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DEPARTMENT OF
WATER RESOURCES

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

MAR - 2 2010

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

By

Clerk

Deputy Clerk

In Re SRBA

Case No. 39576

)
) Subcase Nos.: 75-04494A & 75-04496A
) (Bishop)
)
) ORDER SETTING ASIDE AND
) AMENDING PARTIAL DECREES
)

On November 17, 2008, *Partial Decrees* were issued for the above-captioned rights. On December 5, 2008, a *Standard Form 1 Objection* was filed by the claimants for each right. The *SFI*'s were deemed by this Court as *Motions to Set Aside Partial Decrees*. The matters were referred to the Special Master for further proceedings. On October 22, 2009, the Special Master issued a *Special Master's Report and Recommendation* recommending that the *Partial Decrees* be set aside and *Amended Partial Decrees* be issued. No challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report and Recommendation* and wholly adopts them as its own.

Therefore, IT IS ORDERED that the *Partial Decrees* for the above-captioned water rights are hereby set aside and amended as set forth in the attached *Amended Partial Decrees Pursuant to I.R.C.P. 54(b)*. The previously issued *Partial Decrees* are replaced and superseded thereby.

DATED: March 2, 2010

ERIC L. 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 75-04494A

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
MAR - 2 2010
By _____ Clerk _____ Deputy Clerk

NAME AND ADDRESS: MADELINE CAROL BISHOP
WILLIAM VERNON BISHOP
24 HULL CREEK RD
PO BOX 236
NORTH FORK, ID 83466

SOURCE: NORTH FORK SALMON RIVER TRIBUTARY: SALMON RIVER

QUANTITY: 0.26 CFS

Right Nos. 75-4494A and 75-4496A are limited to a total combined
diversion rate of 0.39 cfs.
The quantity of water under this right for stockwater use shall
not exceed 13,000 gallons per day.

PRIORITY DATE: 04/01/1908

POINT OF DIVERSION: T25N R21E S28 NWSW Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.26 CFS
	Stockwater	04-01 TO 10-31	0.02 CFS

PLACE OF USE:	Irrigation	Stockwater
	T25N R21E S28 S29 13.0 Acres Total	T25N R21E S28 S29
	SWNW 4.5 SENE 0.5	SWNW SENE
	Within Lemhi County	Within Lemhi County

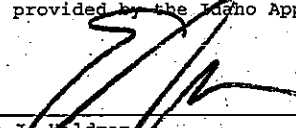
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.



Eric J. Wildman
Presiding Judge of the
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 75-04496A

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

MAR - 2 2010

By _____

Clerk
Deputy Clerk

NAME AND ADDRESS: MADELINE CAROL BISHOP
WILLIAM VERNON BISHOP
24 HULL CREEK RD
PO BOX 236
NORTH FORK, ID 83466

SOURCE: HULL CREEK TRIBUTARY: NORTH FORK SALMON RIVER

QUANTITY: 0.39 CFS

The quantity of water under this right for stockwater use shall
not exceed 13,000 gallons per day.
Right Nos. 75-4494A and 75-4496A are limited to a total combined
diversion rate of 0.39 cfs.

PRIORITY DATE: 04/01/1908

POINT OF DIVERSION: T25N R21E S29 SENE Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.39 CFS
	Stockwater	04-01 TO 10-31	0.02 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T25N R21E S28	SWNW 4.5
	S29	SENE 0.5
	13.0 Acres Total	

Stockwater	Within Lemhi County
T25N R21E S28	SWNW
S29	SENE

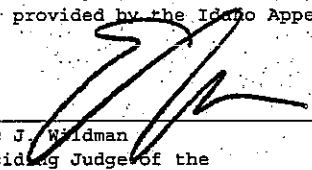
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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
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Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER SETTING
ASIDE AND AMENDING PARTIAL DECREES was mailed on March 02, 2010,
with sufficient first-class postage to the following:

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

MADELINE CAROL BISHOP
WILLIAM VERNON BISHOP
24 HULL CREEK RD
PO BOX 236
NORTH FORK, ID 83466
Phone: 208-865-2465

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