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DEPARTMENT OF
WATER RESOURCES

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

JAN 15 2019

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

Subcase No. 61-4029

**ORDER APPROVING STIPULATION
AND ENTRY OF AMENDED PARTIAL
DECREE**

On October 1, 2018, Nick and Elizabeth Ann Nettleton (collectively "Nettleton") filed the *Motion to Set Aside, Reopen, and/or Motion to Alter or Amend Partial Decree for Water Right No. 61-4029 ("Motion to Amend")* in the above entitled subcase. On December 14, 2018, the State of Idaho filed a response, objecting to Nettleton's motion. Nettleton and the State of Idaho have presented a *Stipulation and Joint Motion for Order Approving Stipulation and Entry of Amended Partial Decree*. The Idaho Department of Water Resources ("IDWR") filed an affidavit and Corrected Director's Recommendation in support of the *Stipulation*. Having reviewed the *Stipulation*, supporting affidavit, and Corrected Director's Recommendation and having heard the parties concerning this matter,

THE SRBA DISTRICT COURT HEREBY FINDS AS FOLLOWS:

The *Stipulation* was entered into voluntarily by the parties and in good faith for the purpose of resolving legal disputes, including impending litigation. The *Stipulation* and IDWR's affidavit support amending the Partial Decree for water right no. 61-4029 as provided in the Corrected Director's Recommendation under SRBA Administrative Order 1 and Idaho Rule of

Civil Procedure 60(a). No other parties have appeared in objection and good cause has been shown for granting the *Joint Motion for Order Approving Stipulation and Entry of Amended Partial Decree*.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that:

The *Stipulation* is hereby ratified, confirmed, and approved. The *Partial Decree* for water right no. 61-4029 is hereby **Amended** as set forth in the attached *Amended Partial Decree*.

IT IS SO ORDERED.

DATED: January 15, 2019


ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER APPROVING STIPULATION AND ENTRY OF AMENDED PARTIAL DECREE was mailed on January 15, 2019, with sufficient first-class postage to the following:

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DIRECTOR OF IDWR
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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 "Deputy Clerk" text.