

RECEIVED
MAR 05 2014
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho
MAR - 4 2014
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) Subcase Nos. 21-00014, 21-00015, 21-02153,
Case No. 39576) 21-02159, 21-04006, 21-04007, 21-04008
) and 21-07151.
)
) ORDER SETTING ASIDE PARTIAL
) DECREES
)
) ORDER OF AMENDED PARTIAL
) DECREES
)
_____)

Partial Decrees for the above-captioned water rights were issued on February 2, 2007. On August 23, 2013, the Idaho Department of Fish and Game filed a *Motion to Set Aside Partial Decrees* in the above-captioned subcases. An *Amended Motion to Set Aside Partial Decrees* was filed by the Idaho Department of Fish and Game on August 30, 2013. On that same date, the Court entered an *Order* referring the matter to the Special Master. On January 20, 2014, the Special Master issued a *Special Master's Report and Recommendation*, recommending that the *Amended Motion to Set Aside Partial Decrees* be granted, and that *Amended Partial Decrees* be issued with the elements set forth in the attached *Special Master's Recommendation for Amended Partial Decrees*. No challenges were filed to the *Special Master's Report and Recommendation*, and the time for filing challenges has 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* previously entered for the above-captioned water rights are **hereby set aside**.

IT IS FURTHER ORDERED that the above-captioned water rights be
decreed with the elements set forth in the attached *Amended Partial Decrees*
Pursuant to I.R.C.P. 54(b).

Dated March 4, 2014



ERIC J. 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 21-00014

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

MAR - 4 2014

By _____ Clerk
Deputy Clerk

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE, ID 83707

SOURCE: UNNAMED STREAM TRIBUTARY: SAND CREEK

QUANTITY: 1.00 CFS

Right Nos. 21-14, 21-15 and 21-4006 are limited to a total
combined diversion rate of 1.20 cfs.

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**DEPARTMENT OF
WATER RESOURCES**

PRIORITY DATE: 05/15/1896

POINT OF DIVERSION: T10N R41E S10 NWSW Within Fremont County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Fish Propagation	04-15 TO 10-31	1.00 CFS

PLACE OF USE: Fish Propagation Within Fremont County

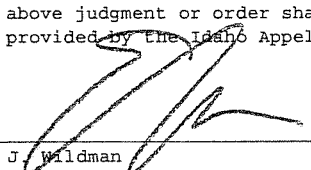
T10N R41E S09	NESE	NWSE
	SWSE	SESE
S10	SWSW	

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.


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 21-00015

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

MAR - 4 2014

By

Clerk
Deputy Clerk

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE, ID 83707

SOURCE: UNNAMED STREAM TRIBUTARY: SAND CREEK

QUANTITY: 0.20 CFS

Right Nos. 21-14, 21-15, and 21-4006 are limited to a total
combined diversion rate of 1.20 cfs.

PRIORITY DATE: 05/15/1896

POINT OF DIVERSION: T10N R41E S10 NSW Within Fremont County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Fish Propagation	04-15 TO 10-31	0.20 CFS

PLACE OF USE:	Fish Propagation	Within Fremont County
	T10N R41E S09	NESE
		NWSE
		SESE
	S10	SWSW

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
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ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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

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MAR 05 2014

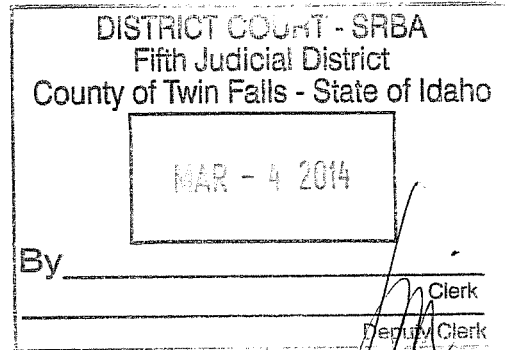
DEPARTMENT OF
WATER RESOURCES

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 21-02153



NAME AND ADDRESS: STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE, ID 83707

SOURCE: BLUE CREEK TRIBUTARY: SINKS

QUANTITY: 64.20 AFY

PRIORITY DATE: 10/16/1919

POINT OF DIVERSION: T10N R41E S03 NWSW Within Fremont County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Fish Propagation Storage	01-01 TO 12-31	64.20 AFY

PLACE OF USE:	Fish Propagation Storage	Within Fremont County
	T10N R41E S03	SESW NWSW

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MAR 05 2014

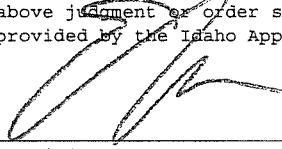
**DEPARTMENT OF
WATER RESOURCES**

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

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NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
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ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

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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 21-02159

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

MAR - 4 2014

By _____

Clerk

Deputy Clerk

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE, ID 83707

SOURCE: BLUE CREEK TRIBUTARY: SINKS

QUANTITY: 150.00 APY

PRIORITY DATE: 05/13/1960

POINT OF DIVERSION: T10N R41E S09 SWSE Within Fremont County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Fish Propagation Storage	01-01 TO 12-31	150.00 APY

PLACE OF USE:	Fish Propagation Storage	Within Fremont County
	T10N R41E S09	NESE
		NWSE
		SESE
	S10	SWSW

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MAR 05 2014

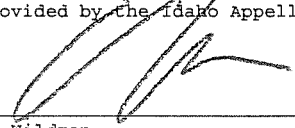
DEPARTMENT OF
WATER RESOURCES

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
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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).

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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 21-04006

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

MAR - 4 2014

By _____

Clerk
Deputy Clerk

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE, ID 83707

SOURCE: UNNAMED STREAM TRIBUTARY: SAND CREEK

QUANTITY: 0.332 CFS
240.00 AFY

Right Nos. 21-14, 21-15 and 21-4006 are limited to a total
combined diversion rate of 1.20 cfs.

PRIORITY DATE: 04/01/1962

POINT OF DIVERSION: T10N R41E S10 NWSW Within Fremont County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Diversion to Storage	01-01 TO 12-31	0.332 CFS
	Fish Propagation Storage	01-01 TO 12-31	240.00 AFY

PLACE OF USE:	Fish Propagation Storage	Within Fremont County
	T10N R41E S09	NESE
		NWSE
		SESE
	S10	SWSW

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

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

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DEPARTMENT OF
WATER RESOURCES

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 21-04007

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

MAR - 4 2014

By _____
Clerk
Deputy Clerk

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE, ID 83707

SOURCE: BLUE CREEK TRIBUTARY: SINKS

QUANTITY: 168.00 AFY

PRIORITY DATE: 11/01/1965

POINT OF DIVERSION: T10N R41E S09 NESE Within Fremont County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Fish Propagation Storage	01-01 TO 12-31	168.00 AFY

PLACE OF USE:	Fish Propagation Storage	Within Fremont County
	T10N R41E S09 SENE	NESE
	S10 NWSW	

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

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DEPARTMENT OF
WATER RESOURCES

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 21-04008

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

MAR - 4 2014

By _____

Clerk
Deputy Clerk

RECEIVED

MAR 05 2014

DEPARTMENT OF
WATER RESOURCES

NAME AND ADDRESS:

STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE, ID 83707

SOURCE:

BLUE CREEK TRIBUTARY: SINKS

QUANTITY:

77.00 AFY

PRIORITY DATE:

04/30/1969

POINT OF DIVERSION:

T10N R41E S10 NWNW Within Fremont County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Fish Propagation Storage	01-01 TO 12-31	77.00 AFY

PLACE OF USE:

Place of Use	Direction
Fish Propagation Storage	Within Fremont County
T10N R41E S10	SENW

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

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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 21-07151

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

MAR - 4 2014

By _____

Clerk

Deputy Clerk

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MAR 05 2014

DEPARTMENT OF
WATER RESOURCES

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE, ID 83707

SOURCE: BLUE CREEK TRIBUTARY: SINKS

QUANTITY: 56.00 AFY

PRIORITY DATE: 05/16/1978

POINT OF DIVERSION: T10N R41E S10 NWNW Within Fremont County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Fish Propagation Storage	01-01 TO 12-31	56.00 AFY

PLACE OF USE: Fish Propagation Storage Within Fremont County
T10N R41E S09 NENE
S10 NWNW

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

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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 PARTIAL DECREES / ORDER OF AMENDED PARTIAL DECREES was
mailed on March 04, 2014, with sufficient first-class postage
to the following:

STATE OF IDAHO

Represented by:

STATE OF IDAHO

PO BOX 44449

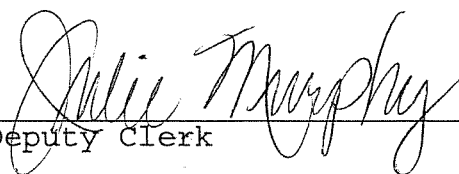
BOISE, ID 83711-4449

Phone: 208-334-2400

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.