

DEPARTMENT OF  
WATER RESOURCES

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

AUG - 9 2013

By \_\_\_\_\_

Clerk  
JUDICIAL DISTRICT OF TWIN FALLS

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

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

**In Re SRBA**

) Subcase Nos.: See Attached List

**Case No. 39576**

ORDER OF AMENDED PARTIAL  
DECREES

## ) DECREES

Pursuant to this Court’s *Order Granting Joint Motion to Include Subordination Remark on Water Right No. 27-11375 and Certain Blackfoot Natural Flow Water Rights*, issued in subcase no. 27-11375 contemporaneously herewith, the contents of which are incorporated herein by reference, the *Partial Decrees* previously entered for the above-captioned water rights shall be amended to add the following language to the “Other Provisions” section of the respective *Partial Decrees*: “This water right is entitled to the protections of paragraph x.d of water right 27-11375.”

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 The previously issued *Partial Decrees* for the above-captioned water rights are replaced and superseded thereby.

DATED:

August 9, 2013

ERIC J. WILDMAN

Presiding Judge

Snake River Basin Adjudication

# ATTACHMENT E

## LIST OF BLACKFOOT NATURAL FLOW STATE CREATED WATER RIGHTS PROTECTED BY PARAGRAPH 27-11375x.d.

|        |        |         |          |          |          |          |           |
|--------|--------|---------|----------|----------|----------|----------|-----------|
| 27-1A  | 27-21A | 27-37J  | 27-2003A | 27-7302  | 27-10844 | 27-11997 | 27-12136  |
| 27-1B  | 27-21B | 27-37L  | 27-2003B | 27-7370  | 27-10847 | 27-12000 | 27-12137  |
| 27-2A  | 27-21C | 27-37M  | 27-2008  | 27-7374  | 27-10878 | 27-12002 | 27-12142  |
| 27-2B  | 27-21D | 27-37N  | 27-2009  | 27-10096 | 27-10943 | 27-12003 | 27-12151  |
| 27-3C  | 27-22A | 27-38   | 27-2018  | 27-10116 | 27-10999 | 27-12006 | 27-12152  |
| 27-3D  | 27-22B | 27-39   | 27-2019A | 27-10207 | 27-11016 | 27-12014 | 27-12189  |
| 27-3E  | 27-23B | 27-40   | 27-2026  | 27-10292 | 27-11117 | 27-12015 | 27-12192  |
| 27-3G  | 27-23C | 27-41   | 27-2039  | 27-10296 | 27-11233 | 27-12016 | 27-12198  |
| 27-4AC | 27-23E | 27-45   | 27-2040  | 27-10341 | 27-11236 | 27-12027 | 27-12199  |
| 27-4F  | 27-23F | 27-47   | 27-2041A | 27-10344 | 27-11245 | 27-12028 | 27-12200  |
| 27-4H  | 27-25A | 27-49   | 27-2041B | 27-10357 | 27-11261 | 27-12029 | 27-12201  |
| 27-4L  | 27-25B | 27-50   | 27-2049  | 27-10358 | 27-11262 | 27-12030 | 27-12213  |
| 27-4M  | 27-25C | 27-51A  | 27-2052  | 27-10362 | 27-11269 | 27-12031 | 27-12214  |
| 27-4S  | 27-26A | 27-51B  | 27-2054  | 27-10370 | 27-11271 | 27-12032 | 27-12229  |
| 27-4Y  | 27-26B | 27-52   | 27-2066  | 27-10388 | 27-11273 | 27-12035 | 27-12230  |
| 27-4Z  | 27-26D | 27-54   | 27-2078  | 27-10390 | 27-11317 | 27-12040 | 27-12246* |
| 27-5A  | 27-26E | 27-55A  | 27-2080A | 27-10398 | 27-11330 | 27-12045 | 27-12247* |
| 27-5B  | 27-27D | 27-55B  | 27-2165  | 27-10452 | 27-11334 | 27-12050 | 27-12250* |
| 27-12A | 27-28  | 27-56   | 27-4009  | 27-10505 | 27-11918 | 27-12051 |           |
| 27-12B | 27-29B | 27-73   | 27-4010  | 27-10539 | 27-11919 | 27-12064 |           |
| 27-13A | 27-29C | 27-74   | 27-4058  | 27-10545 | 27-11930 | 27-12068 |           |
| 27-13B | 27-29D | 27-76   | 27-4077  | 27-10550 | 27-11931 | 27-12069 |           |
| 27-14B | 27-29E | 27-85A  | 27-4079  | 27-10552 | 27-11939 | 27-12074 |           |
| 27-14C | 27-35A | 27-88   | 27-4096  | 27-10555 | 27-11940 | 27-12080 |           |
| 27-14D | 27-35B | 27-94   | 27-4097  | 27-10557 | 27-11966 | 27-12081 |           |
| 27-16A | 27-37A | 27-102  | 27-4141  | 27-10657 | 27-11988 | 27-12108 |           |
| 27-16C | 27-37C | 27-104  | 27-4147  | 27-10667 | 27-11989 | 27-12115 |           |
| 27-17  | 27-37F | 27-105  | 27-7008A | 27-10728 | 27-11992 | 27-12116 |           |
| 27-20A | 27-37G | 27-106  | 27-7008B | 27-10756 | 27-11994 | 27-12118 |           |
| 27-20B | 27-37H | 27-2001 | 27-7071  | 27-10790 | 27-11995 | 27-12121 |           |

\* Water right nos. 27-12246, 27-12247 and 27-12250 were not claimed in the SRBA. They are the result of administrative splits of water rights that were claimed and partially decreed in the SRBA. As a result, the Court cannot issue *Amended Partial Decrees* for these water right numbers but will instead issue *Amended Partial Decrees Nunc Pro Tunc* for their parent rights. The parent right of 27-12246 and 27-12247 is 27-2048. The parent right of 27-12250 is 27-4147.

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 27-10344

RECEIVED

AUG 12 2013

DEPARTMENT OF  
WATER RESOURCES

NAME AND ADDRESS: DAVID R STARK  
DENISE C STARK  
410 WEST RIVERTON ROAD  
BLACKFOOT, ID 83221

SOURCE: BLACKFOOT RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.09 CFS

PRIORITY DATE: 05/01/1885

POINT OF DIVERSION: T03S R35E S09 LOT 1 (NWSENE) Within Bingham County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Irrigation     | 04-01 TO 10-31 | 0.09 CFS |

PLACE OF USE: Irrigation Within Bingham County  
T03S R35E S08 LOT 1 (NWNE) 4.3  
4.3 Acres Total

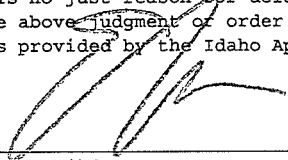
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This water right is entitled to the protections of paragraph x.d  
of water right 27-11375.

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