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AUG 12 2013

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho
AUG - 9 2013
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

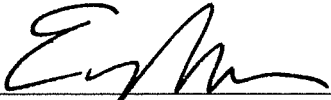
) Subcase Nos.: 27-2048 & 27-4147
)
) ORDER AMENDING PARTIAL
) DECREES *NUNC PRO TUNC*
)
)
)
)

On December 29, 2011, a *Partial Decree* was issued for water right claim 27-2048. On November 20, 2008, an *Amended Partial Decree* was issued for water right claim 27-4147. Contemporaneously herewith, the Court issued an *Order Granting Joint Motion to Include Subordination Remark on Water Right No. 27-11375 and Certain Blackfoot Natural Flow Water Rights* ("Order") in subcase no. 27-11375, the contents of which are incorporated herein by reference. In that *Order*, the Court determined that the *Partial Decrees* previously entered for certain water rights identified on Attachment E thereto should 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." Three of the water rights listed on Attachment E to the *Order* were 27-12246, 27-12247 and 27-12250. These three rights 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. Since the Court cannot issue amended partial decrees for the children rights, it will issue *Amended Partial Decrees Nunc Pro Tunc* for the parent rights, the above-captioned water right numbers.

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 The previously issued *Partial Decrees* for the above-captioned water rights are replaced and superseded thereby.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

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 27-02048

NAME AND ADDRESS: KEN J WIXOM
260 W 300 N
BLACKFOOT, ID 83221

BRENT STEFFLER
625 N 800 E
FIRTH, ID 83236

NAOMI L CHRISTENSEN
845 E 1000 N
SHELLEY, ID 83274

SOURCE: MENASSA CREEK TRIBUTARY: MINER CREEK
MINER CREEK TRIBUTARY: BLACKFOOT RIVER

RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO SECTION
42-1425, IDAHO CODE.

QUANTITY: 0.40 CFS

PRIORITY DATE: 05/29/1915

POINT OF DIVERSION: T03S R39E S18 SWSWNE Within Bingham County
NWNE

PURPOSE AND	PURPOSE OF USE	PERIOD OF USE	QUANTITY
PERIOD OF USE:	Irrigation	04-15 TO 10-15	0.40 CFS

PLACE OF USE:	Irrigation	Within Bingham County
	T03S R39E S18	NENW 5.9 LOT 2 (SWNW) 0.5
		SENEW 3.9
	10.3 Acres Total	

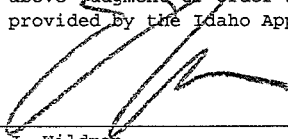
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

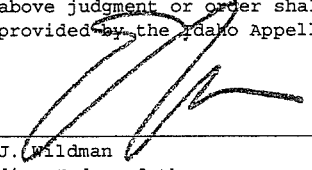
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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

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

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER AMENDING PARTIAL DECREES NUNC PRO TUNC was mailed on August 09, 2013, with sufficient first-class postage to the following:

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

IDAHO AGCREDIT FLCA
PO BOX 985
BLACKFOOT, ID 83221-0985

THE CONSERVATION FUND
1655 N FORT MEYER DR STE 1300
ARLINGTON, VA 22209-3199

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GORDON G PROUSE
914 W 650 N
BLACKFOOT, ID 83221
Phone: 208-684-5204

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.