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JUL 02 2013

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

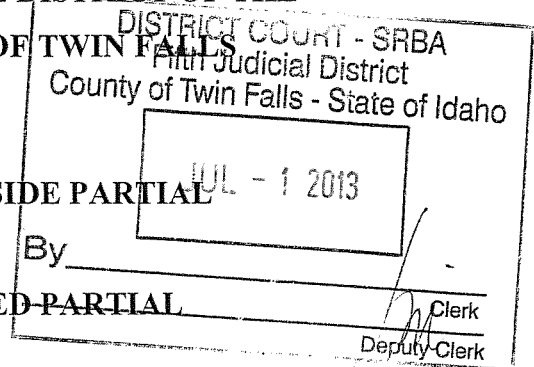
In Re SRBA

Case No. 39576

) Subcase No. 37-07861

) ORDER SETTING ASIDE PARTIAL
DECREE

) ORDER OF AMENDED PARTIAL
DECREE



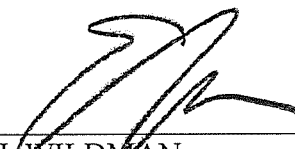
A *Partial Decree* was issued for the above-captioned water right on October 29, 2010. On August 9, 2012, the Claimant, James W. Mecham, filed a *Motion to Set Aside Partial Decree* in the above-captioned subcase. On August 9, 2012, the Court entered an *Order* referring the matter to the Special Master. On May 2, 2013, the Special Master issued a *Special Master's Report and Recommendation*, recommending that the *Motion to Set Aside* be granted, and that an *Amended Partial Decree* 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 Decree* previously entered for the above-captioned water right is **hereby set aside**.

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

Dated July 1, 2013


ERIC J. WILDMAN
Presiding Judge
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 37-07861

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

JUL - 1 2013

By _____
Clerk
Deputy Clerk

NAME AND ADDRESS: JAMES W MECHAM
PO BOX 3119
428 MAIN AVE N
TWIN FALLS, ID 83301-3119

SOURCE: STODDARD CREEK SPRING TRIBUTARY: STODDARD CREEK

QUANTITY: 0.714 CFS
285.00 AFY

Rights 37-1244 and 37-7861 when combined shall not
exceed a total diversion rate of 0.714 cfs.

PRIORITY DATE: 10/28/1980

The rights for the use of water confirmed in this license shall
be junior and subordinate to all rights for the use of water
other than hydropower, within the State of Idaho that are
initiated later in time than the priority of this right and
shall not give rise to any right or claim against any future
rights for the use of water, other than hydropower, within the
State of Idaho initiated later in time than the priority of this
right.

POINT OF DIVERSION: T06S R13E S27 SENWNW Within Gooding County

PURPOSE AND			
PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Power	03-15 TO 11-01	0.714 CFS
			285.00 AFY

PLACE OF USE: Power Within Gooding County
T06S R13E S27 LOT 1 (NWSW)

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

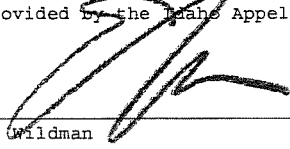
The diversion and use of water for hydropower purposes under this
license is subject to review by the Director on or after
October 5, 2019. Upon appropriate findings relative to the
interest of the public, the Director may cancel all or any part
of the use authorized herein and may revise, delete or add
conditions under which the right may be exercised.

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).

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

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 SETTING
ASIDE PARTIAL DECREE / ORDER OF AMENDED PARTIAL DECREE was mailed
on July 01, 2013, with sufficient first-class postage to the
following:

JAMES W MECHAM

Represented by:

PAUL L ARRINGTON

195 RIVER VISTA PL STE 204

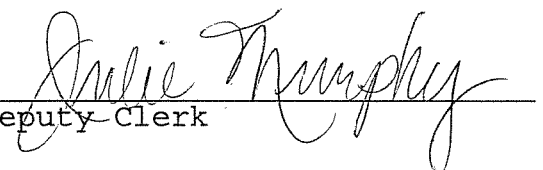
TWIN FALLS, ID 83301-3029

Phone: 208-733-0700

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. The signature is in dark ink and is positioned to the right of the printed text "Deputy Clerk".