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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho
MAR - 1 2012
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. 75-00063A, 75-10061E, 75-
-) 10061G, 75-10062E, 75-10178, 75-14704 and
-) 75-14637
-)
-) ORDER SETTING ASIDE PARTIAL
-) DECREES FOR WATER RIGHTS 75-
-) 00063A, 75-10061E, 75-10061G, 75-10062E
-) and 75-10178
-)
-) ORDER OF AMENDED PARTIAL
-) DECREES FOR WATER RIGHTS 75-
-) 00063A, 75-10061E, 75-10061G, 75-10062E
-) and 75-10178
-)
-) ORDER OF PARTIAL DECREE FOR
-) WATER RIGHTS 75-14704 and 75-14637
-)

Partial Decrees were issued for water right numbers 75-10061E, 75-10061G, 75-10062E and 75-10178 on November 17, 2008. A *Partial Decree* was entered for water right number 75-00063A on January 30, 2009. *Motions to Set Aside Partial Decree* were subsequently filed in subcase numbers 75-00063A, 75-10061E, 75-10061G, 75-10062E and 75-10178, and *Orders of Reference* were issued appointing the Special Master to preside over the *Motions* and issue a recommendation. On January 19, 2012, the parties filed *Standard Form 5's* ("SF5's") resolving the *Motions*. On January 31, 2012, the Special Master issued a *Special Master Report*, recommending (1) that the *Partial Decrees* previously entered for water rights 75-00063A, 75-10061E, 75-10061G, 75-10062E and 75-10178 be set aside and amended consistent with the SF5's, (2) and that *Partial Decrees* be issued for water rights 75-14637 and 75-14704 consistent

ORDER SETTING ASIDE PARTIAL DECREES;
ORDER OF AMENDED PARTIAL DECREES;
ORDER OF PARTIAL DECREES

with the *SF5*'s. No challenges were filed to the *Special Master's Report and Recommendation* and the time for filing challenges has expired.

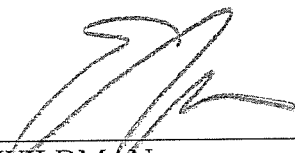
Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report and Recommendation* and wholly adopts them as its own.

Therefore, IT IS ORDERED that the *Partial Decrees* previously entered for water rights 75-00063A, 75-10061E, 75-10061G, 75-10062E and 75-10178 **are hereby set aside**.

IT IS FURTHER ORDERED that water rights 75-00063A, 75-10061E, 75-10061G, 75-10062E and 75-10178 be **decreed** with the elements set forth in the attached *Amended Partial Decrees Pursuant to I.R.C.P. 54(b)*.

IT IS FURTHER ORDERED that water rights 75-14637 and 75-14704 be **decreed** with the elements set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

Dated March 1, 2012



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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 75-14704

NAME AND ADDRESS: DERROLD SLAVIN
PO BOX 41
CARMEN, ID 83462

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.10 CFS

PRIORITY DATE: 05/01/1882

POINT OF DIVERSION: T22N R22E S09 NWSW Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.10 CFS

PLACE OF USE: Irrigation Within Lemhi County
T22N R22E S05 LOT 1 (NENE) 13.0 LOT 2 (NWNE) 6.8
SWNE 6.7 SENE 6.0
32.5 Acres Total

The rights listed below are limited to the irrigation of a
combined total of 32.5 acres in a single irrigation season.
Combined Right Nos.: 75-4340A, 75-10061G, 75-10178, and 75-14704.

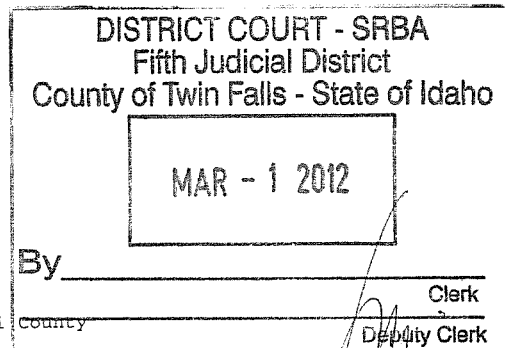
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 75-14637

NAME AND ADDRESS:

BARBARA K SLAVIN
WILLIAM G SLAVIN
PO BOX 255
CARMEN, ID 83462

SOURCE:

CARMEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY:

0.75 CFS

This right when combined with all other rights shall provide no
more than 0.04 cfs per acre at the field headgate for
irrigation of the place of use.

PRIORITY DATE:

05/01/1896

POINT OF DIVERSION:

T22N R22E S09

NWSW

Within Lemhi County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
Irrigation

PERIOD OF USE
04-01 TO 10-31

QUANTITY
0.75 CFS

PLACE OF USE:

Irrigation
T22N R22E S05
S08
69.1 Acres Total

SWNE 13.0
NESE 0.6
SWSE 15.0
NWNE 16.0

Within Lemhi County
SENE 0.5
NWSE 24.0

The rights listed below are limited to the irrigation of a
combined total of 69.1 acres in a single irrigation season.
Combined Right Nos.: 75-10061E, 75-10062E, 75-14421 and 75-14637.

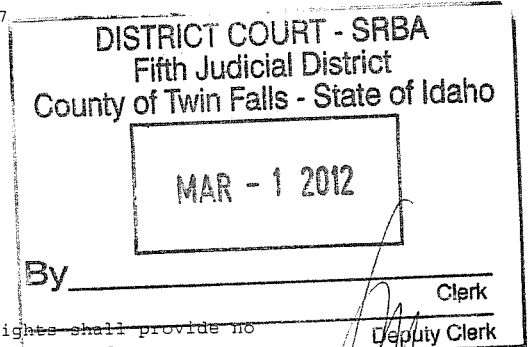
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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
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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 OF PARTIAL DECREE FOR WATER RIGHTS 75-14704 AND 75-14637 was mailed on March 01, 2012, with sufficient first-class postage to the following:

DERROLD SLAVIN
Represented by:
MILTON A. SLAVIN
ATTORNEY AT LAW
116 N CENTER ST.
SALMON, ID 83467
Phone: 208-756-2030

BARBARA K SLAVIN
WILLIAM G SLAVIN
PO BOX 255
CARMEN, ID 83462
Phone: 208-756-6309

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".