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DEC 30 2011
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho
DEC 29 2011
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 No. 29-11278
) (Rowlands Inc.)
)
) ORDER SETTING ASIDE AND
) AMENDING PARTIAL DECREE
)

On March 22, 2004, a **Partial Decree** was issued for the above-captioned right. On August 18, 2010, a *Motion to Set Aside Partial Decree* was filed by Rowlands Inc. The matter was referred to the Special Master for further proceedings. On November 1, 2011, the Special Master issued a **Special Master's Report and Recommendation** recommending that the **Partial Decree** be set aside and an **Amended Partial Decree** be issued. No challenges were filed to the **Special Master's Report and Recommendation** and the time for filing Challenges has now 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** for the above-captioned water right is hereby set aside and amended as set forth in the attached **Amended Partial Decree Pursuant to I.R.C.P. 54(b)**. The previously issued **Partial Decree** is replaced and superseded thereby.

DATED: December 29, 2011.



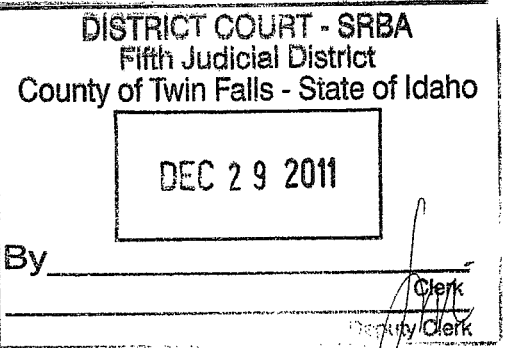
ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

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 29-11278



NAME AND ADDRESS: ROWLANDS INC
1141 ROWLAND RD
POCATELLO, ID 83204-7416

SOURCE: GROUND WATER

QUANTITY: 0.11 CFS
7.20 AFY

The quantity of water under this right for domestic use shall
not exceed 13,000 gallons per day.
The rights listed below are limited to a total combined diversion
rate of 0.11 cfs. Combined Right Nos.: 29-11278, 29-13956, and
29-14000.

PRIORITY DATE: 12/31/1937

POINT OF DIVERSION: T06S R34E S07 LOT 2 (NWNE) Within Power County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic	01-01 TO 12-31	0.06 AFY
	Industrial	01-01 TO 12-31	0.11 CFS
			7.20 AFY

Domestic use is for a duplex.
Industrial use is in a milk processing plant.

PLACE OF USE:	Industrial	Within Power County
	T06S R34E S07 LOT 2 (NWNE)	
	Domestic	Within Power County
	T06S R34E S07 LOT 2 (NWNE)	

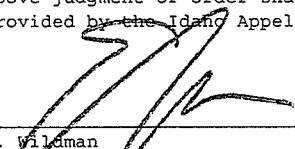
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right for domestic
use is not a determination of historical beneficial use.

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

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER SETTING
ASIDE AND AMENDING PARTIAL DECREE was mailed on December 29,
2011, with sufficient first-class postage to the following:

ROWLANDS INC

Represented by:

THOMAS J BUDGE

201 E CENTER ST

PO BOX 1391

POCATELLO, ID 83204-1391

Phone: 208-232-6101

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 "Deputy Clerk" text.