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DEPARTMENT OF
WATER RESOURCES

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

DEC - 5 2011

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) Subcase No. 37-21386
)
Case No. 39576) ORDER SETTING ASIDE FINAL
) ORDER DISALLOWING WATER
) RIGHT CLAIM
)
) ORDER OF AMENDED PARTIAL
) DECREE
)

A *Final Order Disallowing Water Right Claim* was issued for the above-captioned water right on October 12, 2010. On April 21, 2011, a *Motion to Set Aside Final Order Disallowing Water Right Claim* was filed by Robbins Trust and O'Connor Trust. On April 22, 2011, an *Order of Reference* was issued appointing the Special Master to preside over the *Motion* and issue a recommendation. On October 17, 2011, the Special Master issued a *Special Master's Report and Recommendation* recommending that the *Motion to Set Aside Final Order Disallowing Water Right Claim* be granted, and that an *Amended Partial Decree* be issued with elements set forth in the attached *Special Master's Recommendation for Amended Partial Decree*. 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 *Final Order Disallowing Water Right Claim* 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 December 15, 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

In Re SRBA)
)
Case No. 39576)
_____)

AMENDED
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 37-21386

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

DEC - 5 2011

NAME AND ADDRESS: ROBBINS TRUST & O CONNOR TRUST
PO BOX 48
BELLEVUE, ID 83313

SOURCE: EAST FORK WOOD RIVER TRIBUTARY: BIG WOOD RIVER

QUANTITY: 0.40 CFS

The rights listed below are limited to a total combined diversion
rate of 4.16 cfs. Combined Right Nos.: 37-21793, 37-21386.

PRIORITY DATE: 05/01/1913

POINT OF DIVERSION: T04N R19E S28 NWNWSW Within Blaine County
S29 SESESW
SWNESE
NESWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 10-31	0.40 CFS

PLACE OF USE:	Irrigation	Within Blaine County
	T04N R19E S29	SWSW 12.0 NWSE 1.2 S32 NENW 7.3 76.5 Acres Total
		SESW 29.0 SWSE 27.0

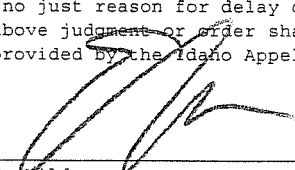
The rights listed below are limited to the irrigation of a
combined total of 76.5 acres in a single irrigation season.
Combined Right Nos.: 73-21793, 37-21386.

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

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER SETTING
ASIDE FINAL ORDER DISALLOWING WATER RIGHT CLAIM / ORDER OF AMENDED
PARTIAL DECREE was mailed on December 05, 2011, with sufficient
first-class postage to the following:

ROBBINS TRUST & O CONNOR TRUST

Represented by:

JOHN E. ROBERTSON

PO BOX 1906

TWIN FALLS, ID 83303

Phone: 208-933-0700

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line.