

RECEIVED
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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
MAR - 7 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	)	
	)	ORDER OF AMENDED PARTIAL
Case No. 39576	)	DECREEES
	)	
	)	
	)	SUBCASE NOS. 75-04005, 75-10061AH,
	)	75-10062AG, 75-13313 and 75-13314
	)	(Campbell)
	)	
	)	

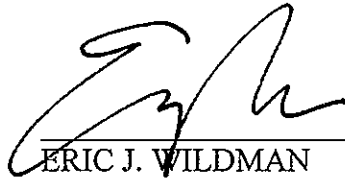
On January 19, 2011, *Standard Form 5's* were filed with respect to the above-captioned water rights resolving all objections to the same. On January 26, 2011, a *2nd Special Master's Report and Recommendation* was filed for the above-captioned water rights. No Challenges were filed to the *2nd Special 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 *2nd Special Master's Report and Recommendation* and wholly adopts them as its own, with the following caveat. On February 1, 2011, the Court received correspondence from the Idaho Department of Water Resources notifying the Court that recommended *Partial Decrees* attached to the *Special Master's Report* for water rights 75-04005, 75-10061AH and 75-10062AG contained a clerical error with respect to the point of diversion element. Specifically, the point of diversion as reflected in the *SF5's* for the three rights included the description "T23N R23E S31 NWNWSE within Lemhi County." The point of diversion as reflected in the recommended *Partial Decrees* attached to the *Special Master's Report* for the three rights included the following description "T23N R23E S31 NWSE within Lemhi County," inconsistent with the *SF5's*. The Court finds the

discrepancy between the point of diversion contained in the *SF5's* and the *Special Master's Report* with respect to the point of diversion element of water rights 75-04005, 75-10061AH and 75-10062AG to be the result of clerical error. As a result, the Court will decree water rights 75-04005, 75-10061AH and 75-10062AG consistent with the *SF5's*.

Therefore, IT IS ORDERED that the above-captioned water rights are hereby **decree**d as set forth in the attached *Amended Partial Decrees Pursuant to I.R.C.P. 54(b)*. The previously issued *Partial Decrees* are replaced and superseded thereby.

Dated March 7, 2011


ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

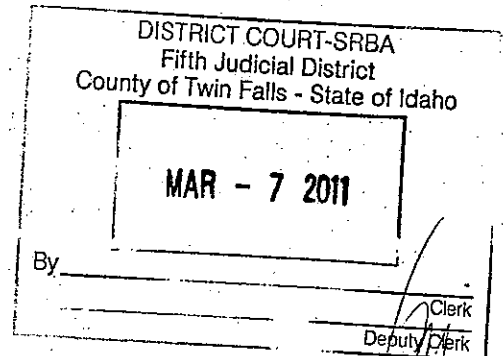
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

AMENDED

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

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 75-04005



NAME AND ADDRESS: JOHN WAYNE CAMPBELL
PO BOX 49
CARMEN, ID 83462-0049

SOURCE: FREEMAN CREEK TRIBUTARY: CARMEN CREEK

QUANTITY: 3.70 CFS

PRIORITY DATE: 04/01/1915

POINT OF DIVERSION: T23N R22E S36 NWNESE Within Lemhi County
R23E S31 NWSW
NWNWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-15	3.70 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T22N R22E S02 LOT 1 (NENE) 3.4	
	T23N R22E S35 NESE 10.0	SWSE 4.1
	SESE 17.0	
	S36 NESW 16.0	NWSW 26.0
	SWSW 19.0	SESW 8.0
	NWSE 0.6	
	104.1 Acres Total	

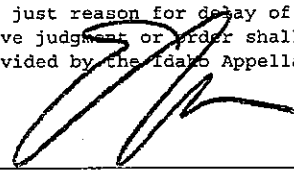
The rights listed below are limited to the irrigation of a combined total of 104.1 acres in a single irrigation season. Combined Right Nos.: 75-13313, 75-13314, 75-10061AH, 75-10062AG and 75-4005.

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

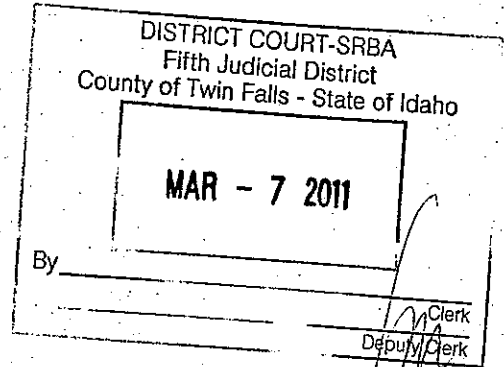
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment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

AMENDED
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 75-10061AH



NAME AND ADDRESS: JOHN WAYNE CAMPBELL
PO BOX 49
CARMEN, ID 83462-0049

SOURCE: FREEMAN CREEK TRIBUTARY: CARMEN CREEK

QUANTITY: 0.29 CFS

PRIORITY DATE: 05/01/1875

POINT OF DIVERSION: T23N R22E S36 NWNSE Within Lemhi County
R23E S31 NWSW
NWNWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.29 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T22N R22E S02 LOT 1 (NENE) 3.4	
	T23N R22E S35 NESE 10.0	SWSE 4.1
	SESE 17.0	
	S36 NESW 16.0	NWSW 26.0
	SWSW 19.0	SESW 8.0
	NWSE 0.6	
	104.1 Acres Total	

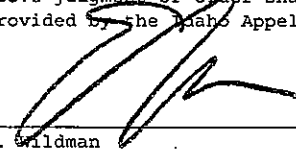
The rights listed below are limited to the irrigation of a combined total of 104.1 acres in a single irrigation season. Combined Right Nos.: 75-13313, 75-13314, 75-10061AH, 75-10062AG and 75-4005.

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

AMENDED

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 75-10062AG

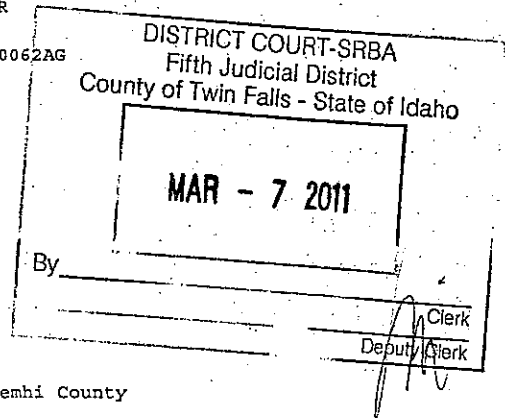
NAME AND ADDRESS: JOHN WAYNE CAMPBELL
PO BOX 49
CARMEN, ID 83462-0049

SOURCE: FREEMAN CREEK TRIBUTARY: CARMEN CREEK

QUANTITY: 0.16 CFS

PRIORITY DATE: 05/01/1882

POINT OF DIVERSION: T23N R22E S36 NWNSE Within Lemhi County
R23E S31 NWSW
NWNWSE



PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.16 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T22N R22E S02 LOT 1 (NENE) 3.4	
	T23N R22E S35 NESE 10.0	SWSE 4.1
	SESE 17.0	
	S36 NESW 16.0	NWSW 26.0
	SWSW 19.0	SESW 8.0
	NWSE 0.6	
	104.1 Acres Total	

The rights listed below are limited to the irrigation of a combined total of 104.1 acres in a single irrigation season. Combined Right Nos.: 75-13313, 75-13314, 75-10061AH, 75-10062AG and 75-4005.

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

AMENDED

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 75-13313

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

MAR - 7 2011

By

Clerk
Deputy Clerk

In Re SRBA

Case No. 39576

NAME AND ADDRESS:

JOHN WAYNE CAMPBELL
PO BOX 49
CARMEN, ID 83462-0049

SOURCE:

FREEMAN CREEK TRIBUTARY: CARMEN CREEK
UNNAMED STREAM TRIBUTARY: SINKS

QUANTITY:

0.18 CFS

The quantity of water under this right for stockwater uses shall
not exceed 13,000 gallons per day.

PRIORITY DATE:

06/01/1948

POINT OF DIVERSION:

T23N R22E S35 SWSE Within Lemhi County
NESE
S36 NWSW

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	04-01 TO 10-31	0.11 CFS
Stockwater	01-01 TO 12-31	0.07 CFS

PLACE OF USE:

Irrigation Within Lemhi County
T23N R22E S35 SWSE 5.3
5.3 Acres Total

Stockwater Within Lemhi County
T23N R22E S35 NESE

The rights listed below are limited to the irrigation of a
combined total of 104.1 acres in a single irrigation season.
Combined Right Nos.: 75-13313, 75-13314, 75-10061AH, 75-10062AG
and 75-4005.

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

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final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
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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 75-13314

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

MAR - 7 2011

By _____

Clerk
Deputy Clerk

NAME AND ADDRESS: JOHN WAYNE CAMPBELL
PO BOX 49
CARMEN, ID 83462-0049

SOURCE: UNNAMED STREAM TRIBUTARY: SINKS

QUANTITY: 0.11 CFS

PRIORITY DATE: 06/13/1912

POINT OF DIVERSION: T23N R22E S36 NWSW Within Lemhi County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 04-01 TO 10-31 0.11 CFS

PLACE OF USE: Irrigation Within Lemhi County
T23N R22E S35 NESE 5.0 SESE 0.2
5.2 Acres Total

The rights listed below are limited to the irrigation of a
combined total of 104.1 acres in a single irrigation season.
Combined Right Nos.: 75-13313, 75-13314, 75-10061AH, 75-10062AG
and 75-4005.

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

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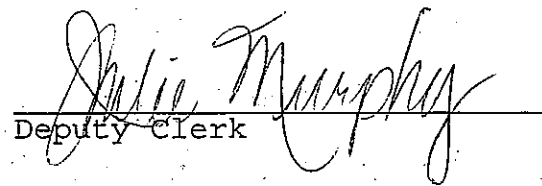
CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF AMENDED PARTIAL DECREES was mailed on March 07, 2011, with sufficient first-class postage to the following:

TOM MCFARLAND
PO BOX 127
CARMEN, ID 83462

JOHN WAYNE CAMPBELL
PO BOX 49
CARMEN, ID 83462-0049
Phone: 208-756-4241

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