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DEPARTMENT OF
WATER RESOURCES

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

JAN 31 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

Case No. 39576

)
) Subcase Nos.: 27-11954,
) 27-11955 & 27-11956
) (Blotter)
)
) ORDER SETTING ASIDE AND
) AMENDING PARTIAL DECREES

On August 13, 2007, *Partial Decrees* were issued for the above-captioned rights. On November 18, 2008, the Idaho Department of Water Resources filed correspondence with this Court explaining that in reviewing the recommendations in Basin 27, they discovered that a correction to each of these water rights was necessary. The matter was referred to the Special Master for further proceedings. On December 30, 2010, the Special Master issued a *Special Master's Report and Recommendation* recommending that the *Partial Decrees* be set aside and *Amended Partial Decrees* 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 I*, 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* for the above-captioned water rights are hereby set aside and amended 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replaced and superseded thereby.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:

January 31, 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 27-11954

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

JAN 31 2011

By _____

Clerk

Deputy Clerk

NAME AND ADDRESS: PAUL THOMAS BLOTTER
3250 N 1200 E
LOGAN, UT 84321

SOURCE: UNNAMED STREAM TRIBUTARY: SINKS

QUANTITY: 0.02 CFS
7.30 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

THE RIGHTS LISTED BELOW ARE LIMITED TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 14.3 AF. COMBINED RIGHT NOS.: 27-4075,
27-4124, 27-4126, 27-11901, 27-11954, 27-11955 AND 27-11956.

PRIORITY DATE: 09/15/1925

POINT OF DIVERSION: T08S R44E S19 SWNWSE (Instream Ending Point) Within Caribou County
S20 NESWNW (Instream Beginning Point)

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	05-01 TO 11-01	0.02 CFS
			7.30 AFY

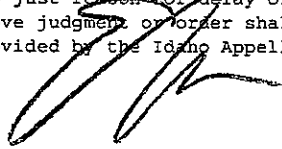
PLACE OF USE: Stockwater Within Caribou County
T08S R44E S19 SENE NESE
S20 NWSE
SWNW

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)
)
Case No. 39576)
_____)

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

Water Right 27-11955

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

JAN 31 2011

By _____

Clerk
Deputy Clerk

NAME AND ADDRESS: PAUL THOMAS BLOTTER
3250 N 1200 E
LOGAN, UT 84321

SOURCE: UNNAMED STREAM TRIBUTARY: SINKS

QUANTITY: 0.02 CFS
7.30 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.
THE RIGHTS LISTED BELOW ARE LIMITED TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 14.3 AF. COMBINED RIGHT NOS.: 27-4075,
27-4124, 27-4126, 27-11901, 27-11954, 27-11955 AND 27-11956.

PRIORITY DATE: 09/15/1925

POINT OF DIVERSION: T08S R44E S17 SESWSE (Instream Beginning Point) Within Caribou County
SESE (Instream Ending Point)

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	05-01 TO 11-01	0.02 CFS
			7.30 AFY

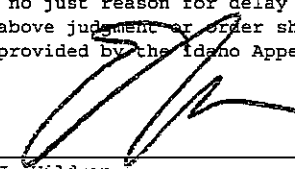
PLACE OF USE: Stockwater Within Caribou County
T08S R44E S17 SWSE SESE

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

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Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

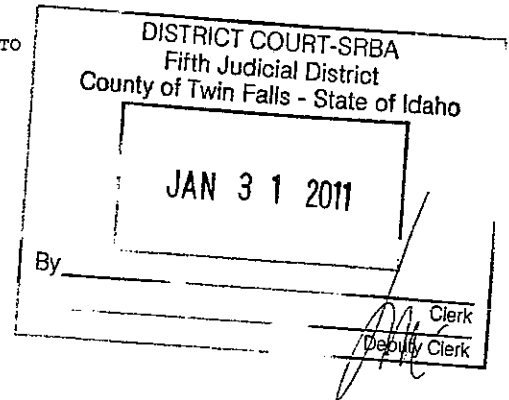
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

AMENDED

In Re SRBA)
Case No. 39576)
_____)

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

Water Right 27-11956



NAME AND ADDRESS: PAUL THOMAS BLOTTER
3250 N 1200 E
LOGAN, UT 84321

SOURCE: SPRING TRIBUTARY: SINKS

QUANTITY: 0.02 CFS
7.30 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

THE RIGHTS LISTED BELOW ARE LIMITED TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 14.3 AF. COMBINED RIGHT NOS.: 27-4075,
27-4124, 27-4126, 27-11901, 27-11954, 27-11955, AND 27-11956.

PRIORITY DATE: 09/15/1925

POINT OF DIVERSION: T08S R44E S20 NENW Within Caribou County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	05-01 TO 11-01	0.02 CFS
			7.30 AFY

PLACE OF USE: Stockwater Within Caribou County
T08S R44E S20 NENW

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
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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 DECREES was mailed on January 31,
2011, with sufficient first-class postage to the following:

SHOSHONE-BANNOCK TRIBES

Represented by:

JEANETTE WOLFLEY

SPECIAL COUNSEL

SHOSHONE-BANNOCK TRIBE

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POCATELLO, ID 83202

Phone: 208-232-1922

PAUL THOMAS BLOTTER

Represented by:

JERRY R. RIGBY

25 N 2ND E

PO BOX 250

REXBURG, ID 83440-0250

Phone: 208-356-3633

STATE OF IDAHO

Represented by:

NATURAL RESOURCES DIV CHIEF

STATE OF IDAHO

ATTORNEY GENERAL'S OFFICE

PO BOX 44449

BOISE, ID 83711-4449

DIRECTOR OF IDWR

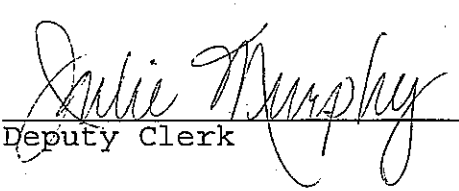
PO BOX 83720

BOISE, ID 83720-0098

ORDER

Page 1 1/31/11

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Deputy Clerk