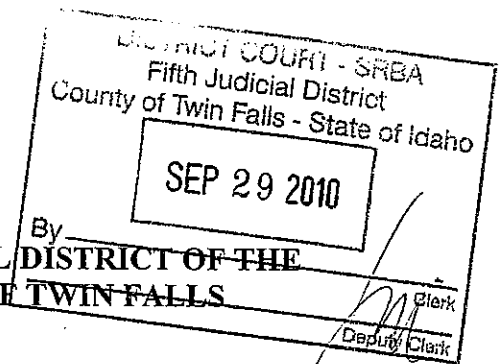


RECEIVED

SEP 30 2010

DEPARTMENT OF
WATER RESOURCES



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

) ORDER SETTING ASIDE AND
) AMENDING PARTIAL DECREES

) SUBCASES: 27-04011, 27-11998,
) 27-11999 and 27-12082
) (Gibson / Rasmussen)
)

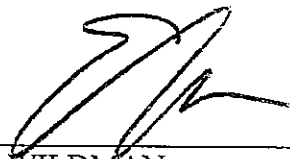
Partial Decrees were issued for the above-captioned water rights on August 13, 2007. Subsequently, the Court received correspondence from the Idaho Department of Water Resources regarding errors in the *Director's Reports* filed for the claims, which ultimately carried forward in the *Partial Decrees*. The matter was referred to the Special Master for further proceedings.

On August 11, 2010, a *Special Master's Report and Recommendation* was filed for the above-captioned water rights recommending that the original *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 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that the above-captioned water rights are hereby **decreed** 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 The previously issued *Partial Decrees* are replaced and superseded thereby.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 September 29, 2010.


ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

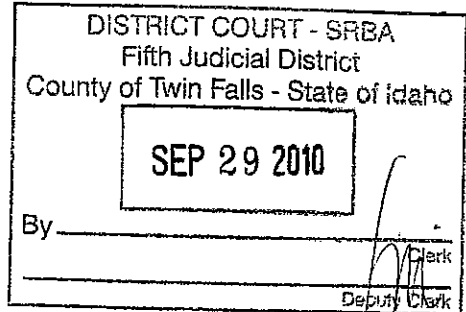
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

AMENDED

In Re SRBA)
)
Case No. 39576)
)

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

Water Right 27-04011



NAME AND ADDRESS: ALICE GIBSON
VAL GIBSON
100 N WOODLAND DRIVE
SODA SPRINGS, ID 83276

GLENN RASMUSSEN
LYNN RASMUSSEN
168 LAGO-LIBERTY RD
GRACE, ID 83241-5352

SOURCE: UNNAMED SPRING TRIBUTARY: SINKS

QUANTITY: 0.03 CFS
4.50 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 3.9 AF FOR STOCKWATER. COMBINED RIGHT NOS.:
27-4011, 27-11998, AND 27-11999.

PRIORITY DATE: 09/24/1924

POINT OF DIVERSION: T07S R45E S31 NWNWNE Within Caribou County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	05-01 TO 11-30	0.02 CFS
			3.90 AFY
	Domestic	01-01 TO 12-31	0.01 CFS
			0.60 AFY

DOMESTIC USE IS FOR 1 HOME.

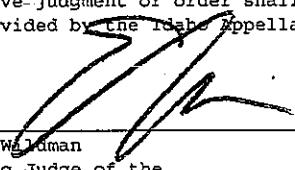
PLACE OF USE: Stockwater Within Caribou County
T07S R45E S30 LOT 3 (NWSW)
Domestic Within Caribou County
T07S R45E S30 LOT 4 (SWSW)

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. Waldman
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 27-11998

NAME AND ADDRESS: VAL GIBSON
100 N WOODLAND DRIVE
SODA SPRINGS, ID 83276

LYNN RASMUSSEN
168 LAGO-LIBERTY RD
GRACE, ID 83241-5352

SOURCE: CABIN CREEK TRIBUTARY: SINKS

QUANTITY: 0.02 CFS
3.90 AFY

THE RIGHTS LISTED BELOW ARE LIMITED TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 3.9 AF FOR STOCKWATER. COMBINED RIGHT NOS.:
27-4011, 27-11998 AND 27-11999.
THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 09/24/1924

POINT OF DIVERSION: T07S R45E S31 SENENW (Instream Beginning Point) Within Caribou County
LOT 1 (NWNWNW) (Instream Ending Point).

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	05-01 TO 11-30	0.02 CFS 3.90 AFY

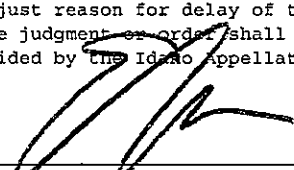
PLACE OF USE: Stockwater Within Caribou County
T07S R45E S31 NENW LOT 1 (NWNW)

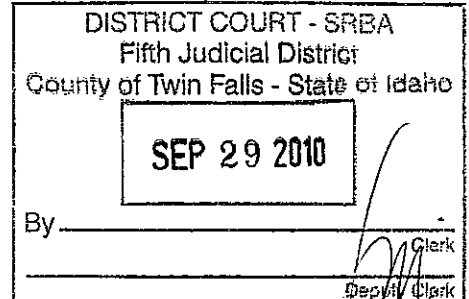
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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).

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Eric J. Wilman
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 27-11999

NAME AND ADDRESS: VAL GIBSON
100 N WOODLAND DRIVE
SODA SPRINGS, ID 83276

LYNN RASMUSSEN
168 LAGO-LIBERTY RD
GRACE, ID 83241-5352

SOURCE: YELLOWJACKET CREEK TRIBUTARY: DIAMOND CREEK

QUANTITY: 0.02 CFS
3.90 AFY

THE RIGHTS LISTED BELOW ARE LIMITED TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 3.9 AF FOR STOCKWATER. COMBINED RIGHT NOS.:
27-4011, 27-11998 AND 27-11999.
THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 09/24/1924

POINT OF DIVERSION: T07S R45E S31 SESENW (Instream Beginning Point) Within Caribou County
LOT 2 (SWNW) (Instream Ending Point)

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	05-01 TO 11-30	0.02 CFS
			3.90 AFY

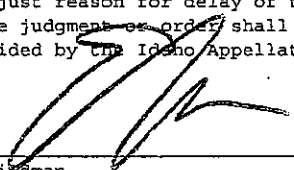
PLACE OF USE: Stockwater Within Caribou County
T07S R45E S31 LOT 2 (SWNW) SENW

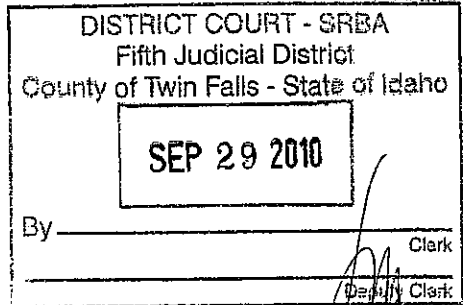
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. Witman
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 27-12082

NAME AND ADDRESS: VAL GIBSON
100 N WOODLAND DRIVE
SODA SPRINGS, ID 83276

LYNN RASMUSSEN
168 LAGO-LIBERTY RD
GRACE, ID 83241-5352

SOURCE: TIMOTHY CREEK TRIBUTARY: DIAMOND CREEK

QUANTITY: 0.02 CFS
0.27 AFY

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

PRIORITY DATE: 05/01/1924

POINT OF DIVERSION: T07S R44E S13 NESWSE (Instream Beginning Point) Within Caribou County
NWSWE (Instream Ending Point)

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	05-01 TO 10-27	0.02 CFS
			0.27 AFY

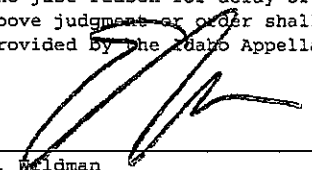
PLACE OF USE: Stockwater Within Caribou County
T07S R44E S13 SWSE

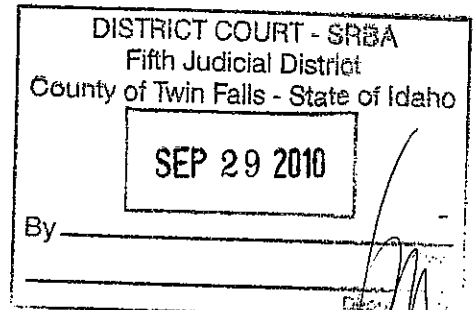
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
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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. Waldman
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 September 29,
2010, with sufficient first-class postage to the following:

SHOSHONE-BANNOCK TRIBES

Represented by:
JEANETTE WOLFLEY
SPECIAL COUNSEL
SHOSHONE-BANNOCK TRIBE
202 N ARTHUR
POCATELLO, ID 83202
Phone: 208-232-1922

STATE OF IDAHO

Represented by:
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STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
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BOISE, ID 83711-4449

DIRECTOR OF IDWR

PO BOX 83720
BOISE, ID 83720-0098

ALICE GIBSON

VAL GIBSON
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SODA SPRINGS, ID 83276
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