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DEPARTMENT OF
WATER RESOURCES

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

AUG - 6 2010

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

Clerk
Deputy Clerk

In Re SRBA

Case No. 39576

)
) Subcase Nos.: 37-00563 & 37-00564
) (West)
)
) ORDER SETTING ASIDE AND
) AMENDING PARTIAL DECREES
)

On September 29, 2006, *Partial Decrees* were issued for the above-captioned rights. On November 17, 2007, a *Standard Form 1 Objection* was filed by the claimant for each right. The *SFI*'s were deemed by this Court as *Motions to Set Aside Partial Decrees*. The matters were referred to the Special Master for further proceedings. On June 11, 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 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 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 The previously issued *Partial Decrees* are replaced and superseded thereby.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: August 6, 2010


ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

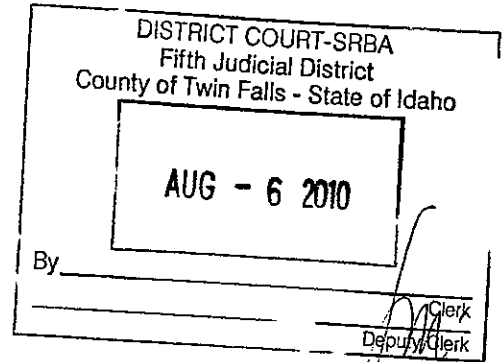
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

AMENDED

In Re SRBA)
)
Case No. 39576)
)

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

Water Right 37-00563



NAME AND ADDRESS: LITA WEST
PO BOX 100
CAREY, ID 83320

SOURCE: LITTLE WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 1.20 CFS

PRIORITY DATE: 05/30/1881

POINT OF DIVERSION: T01N R21E S30 NWSWSE Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	1.20 CFS

PLACE OF USE:	Irrigation	Within Blaine County
T01S R20E S13 LOT 1	(NENE) 4.1	NWNE 34.0
	SWNE 8.3	LOT 2 (SENE) 18.0
LOT 3	(NESE) 8.7	
R21E S18 LOT 3	(NWSW) 8.8	LOT 4 (SWSW) 43.0
	SESW 36.0	SWSE 12.0
S19	NENE 16.0	NWNE 29.0
	SWNE 34.0	SENE 37.0
	NENW 38.0	LOT 1 (NWNW) 28.0
LOT 2	(SWNW) 8.6	SENW 16.0
	NESE 16.0	
S20	NENE 16.0	NWNE 8.1
	SWNE 40.0	SENE 40.0
	NENW 14.0	NWNW 15.0
	SWNW 40.0	SENW 40.0
	NESW 40.0	NWSW 40.0
	SWSW 19.0	SESW 24.0
	NESE 40.0	NWSE 40.0
	SWSE 16.0	SESE 13.0
	840.6 Acres Total	

USE OF THIS RIGHT WITH RIGHT NO. 37-564 & 37-565 IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 360 ACRES IN A SINGLE
IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 360 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

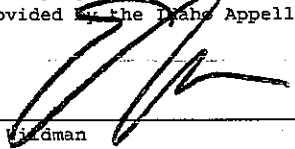
THE RIGHTS LISTED BELOW ARE LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 495 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 37-563, 37-564, 37-565 AND 37-2595.

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. Goldman
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 37-00564

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

AUG - 6 2010

By _____

Clerk
Deputy Clerk

NAME AND ADDRESS: LITA WEST
PO BOX 100
CAREY, ID 83320

SOURCE: LITTLE WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 1.20 CFS

PRIORITY DATE: 05/30/1882

POINT OF DIVERSION: T01N R21E S30 NWSWSE Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	1.20 CFS

PLACE OF USE:	Irrigation	Within Blaine County
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	SWNE 8.3	LOT 2 (SENE) 18.0
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	NESW 40.0	NWSW 40.0
	SWSW 19.0	SESW 24.0
	NESE 40.0	NWSE 40.0
	SWSE 16.0	SESE 13.0
	840.6 Acres Total	

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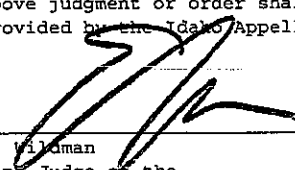
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Eric J. Wilman
Presiding Judge of the
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER SETTING
ASIDE AND AMENDING PARTIAL DECREES was mailed on August 06,
2010, with sufficient first-class postage to the following:

LITA WEST

Represented by:
ROBERT E. WILLIAMS III
PO BOX 168
117 SOUTH ADAMS STREET
JEROME, ID 83338
Phone: 208-324-2303

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

ORDER

Page 1 8/06/10

FILE COPY FOR 01457

Deputy Clerk

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 printed text "Deputy Clerk".