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DEPARTMENT OF
WATER RESOURCES

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

APR - 5 2010

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

By _____ Clerk

Deputy Clerk

In Re SRBA

Case No. 39576

)
) Subcase Nos.: 27-12084 & 27-12085
) (Sharp)
)
) ORDER SETTING ASIDE AND
) AMENDING PARTIAL DECREES
)

On September 29, 2008, *Partial Decrees* were issued for the above-captioned rights. On November 18, 2008, the Idaho Department of Water Resources filed correspondence with this Court notifying the Court of an error in said *Partial Decrees*. The matters were referred to the Special Master for further proceedings. On February 26, 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 The previously issued *Partial Decrees* are replaced and superseded thereby.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: April 5, 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 27-12084

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

APR - 5 2010

NAME AND ADDRESS: DIANE SHARP
RONALD SHARP
3100 W 142 ST
LEAWOOD, KS 66224

By _____ Clerk

Deputy Clerk

SOURCE: LITTLE BLACKFOOT RIVER TRIBUTARY: BLACKFOOT RIVER
REESE CANYON CREEK TRIBUTARY: LITTLE BLACKFOOT RIVER

QUANTITY: 0.02 CFS
3.40 APY

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 3.40 af. Combined Right Nos.: 27-12084 and
27-12085.

PRIORITY DATE: 05/01/1930

POINT OF DIVERSION: T06S R43E S05 SESESW (Instream Ending Point) Within Caribou County
SESESE (Instream Beginning Point)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
Stockwater	Stockwater	05-01 TO 11-01	0.02 CFS 3.40 APY

PLACE OF USE: Stockwater Within Caribou County
T06S R43E S05 SESW SWSE
SESE

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. Weidman
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 27-12085

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

APR - 5 2010

NAME AND ADDRESS: DIANE SHARP
RONALD SHARP
3100 W 142 ST
LEAWOOD, KS 66224

SOURCE: LITTLE BLACKFOOT RIVER TRIBUTARY: BLACKFOOT RIVER
UNNAMED STREAM TRIBUTARY: LITTLE BLACKFOOT RIVER

QUANTITY: 0.02 CFS
3.40 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 3.40 af. Combined Right Nos.: 27-12084 and
27-12085.

PRIORITY DATE: 05/01/1885

POINT OF DIVERSION: T06S R43E S08 NESENE (Instream Beginning Point) Within Caribou County
NWSWNW (Instream Ending Point)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	05-01 TO 11-01	0.02 CFS 3.40 AFY

PLACE OF USE:	Stockwater	Within Caribou County
	T06S R43E S08	NWNE SENE NWNW
		SWNE NENW 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. 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 April 05, 2010,
with sufficient first-class postage to the following:

SHOSHONE-BANNOCK TRIBES

Represented by:
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Phone: 208-232-1922

STATE OF IDAHO

Represented by:
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STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
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DIRECTOR OF IDWR

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