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MAR 10 2010

DEPARTMENT OF  
WATER RESOURCES

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

MAR - 9 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

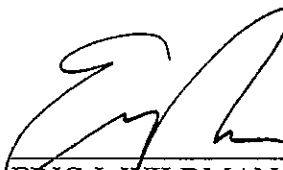
Case No. 39576

)  
) Subcase Nos.: 27-12018 & 27-12024  
)  
) ORDER OF SECOND AMENDED  
) PARTIAL DECREES  
)  
)

*Amended Partial Decrees* were issued for the above-captioned water rights on August 5, 2009. On January 13, 2010, *Amended Director's Reports* were filed to correct an error. Specifically, in the combined use limit remark included in the "quantity element", reference is made to water right 27-12191. An *Order Dismissing Motion to File Late Notice of Claim* for water right 27-12191 was previously issued on July 3, 2009. Accordingly the reference to the right was in error. The notice of the filing of the *Amended Director's Reports* was placed on the SRBA Docket Sheet. No objections were filed.

Therefore, IT IS ORDERED that water rights 27-12018 and 27-12024 are hereby amended and decreed as set forth in the attached *Second Amended Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED: March 9, 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

**2ND AMENDED**

In Re SRBA

Case No. 39576

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

Water Right 27-12018

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

MAR - 9 2010

NAME AND ADDRESS:

JOUGLARD SHEEP CO INC  
PO BOX 245  
RUPERT, ID 83350

SOURCE:

UNNAMED STREAMS TRIBUTARY: TRAIL CREEK

QUANTITY:

0.02 CFS  
2.70 AFY

By

Clerk

Deputy Clerk

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 9.7 af for stockwater. Combined Right Nos.:  
27-2080A, 27-2080B, 27-12018, 27-12019, 27-12020, 27-12021,  
27-12022, 27-12023, 27-12024, 27-12025, 27-12026, and 27-12144.

PRIORITY DATE:

04/01/1946

POINT OF DIVERSION:

T08S R43E S18

NENESW (Instream Ending Point)

Within Caribou County

NENESW (Instream Ending Point)

LOT 3

(SNNWSW) (Instream Beginning Point)

S19

SENENW (Instream Beginning Point)

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE  
Stockwater

PERIOD OF USE  
05-15 TO 10-31

QUANTITY  
0.02 CFS  
2.70 AFY

PLACE OF USE:

Stockwater

Within Caribou County

T08S R43E S18

NESW

LOT 3 (NWSW)

SESW

S19

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  
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

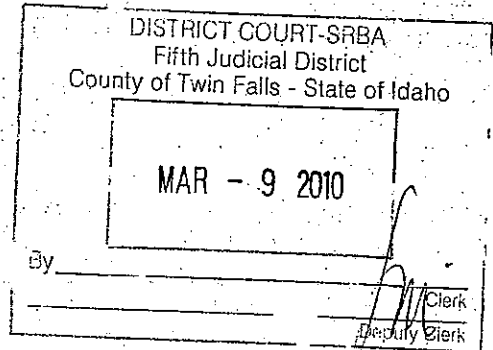
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

**2ND AMENDED**

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

Water Right 27-12024

In Re SRBA )  
Case No. 39576 )



NAME AND ADDRESS: JOUGLARD SHEEP CO INC  
PO BOX 245  
RUPERT, ID 83350

SOURCE: UNNAMED STREAMS TRIBUTARY: SINKS

QUANTITY: 0.02 CFS  
1.00 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 9.7 af for stockwater. Combined Right Nos.:  
27-2080A, 27-2080B, 27-12018, 27-12019, 27-12020, 27-12021,  
27-12022, 27-12023, 27-12024, 27-12025, 27-12026, and 27-12144.

PRIORITY DATE: 04/01/1946

POINT OF DIVERSION: T08S R43E S34

SENENE (Instream Ending Point) Within Caribou County  
SENENE (Instream Ending Point)  
SWNWNE (Instream Beginning Point)  
NWNWSE (Instream Beginning Point)

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY             |
|----------------------------|----------------|----------------|----------------------|
|                            | Stockwater     | 05-15 TO 10-31 | 0.02 CFS<br>1.00 AFY |

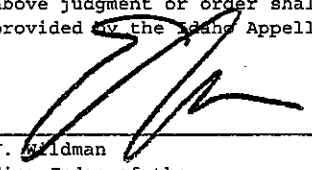
|               |               |                                        |
|---------------|---------------|----------------------------------------|
| PLACE OF USE: | Stockwater    | Within Caribou County                  |
|               | T08S R43E S34 | NENE<br>NWNE<br>SWNE<br>SENE<br>NWNWSE |

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

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF SECOND AMENDED PARTIAL DECREES was mailed on March 09, 2010, with sufficient first-class postage to the following:

SHOSHONE-BANNOCK TRIBES

Represented by:

JEANETTE WOLFLEY

SPECIAL COUNSEL

SHOSHONE-BANNOCK TRIBE

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STATE OF IDAHO

Represented by:

NATURAL RESOURCES DIV CHIEF

STATE OF IDAHO

ATTORNEY GENERAL'S OFFICE

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BOISE, ID 83711-4449

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PO BOX 245

RUPERT, ID 83350

Phone: 208-436-4221

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

