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JUN 30 2009

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUN 29 2009	
By _____	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

) For water right claim: 35-11343
) (Houghland)
)
) ORDER OF AMENDED PARTIAL
) DECREE
)
)

A *Partial Decree* was issued for the above-captioned water right claim on November 17, 2000. On August 27, 2008, Claimant John Houghland filed a *Motion to File Late Objection* with an attached *Standard Form 1 Objection* for said water right. This Court considered that motion to be a *Motion to Set Aside Partial Decree*. On September 2, 2008, the matter was referred to a Special Master for proceedings on the *Motion*. On December 9, 2008, Special Master Dolan issued a *Special Master's Report and Recommendation* recommending that the *Partial Decree* be set aside.

On February 26, 2008 this Court issued an *Order Setting Aside Partial Decree*, requiring proof of ownership from John Houghton, and a proposed Amended Partial Decree correctly describing the Place of Use to be submitted by IDWR.

Thereafter, it came to the Court's attention that IDWR had submitted a proposed Amended Partial Decree with the correct Place of Use and owner on December 23, 2008.

Therefore, IT IS HEREBY ORDERED that water right 35-11343 is **amended and decreed** as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated June 29, 2009


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

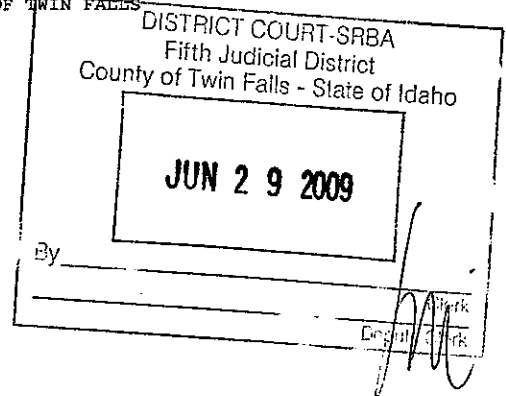
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

AMENDED

In Re SRBA)
)
Case No. 39576)
_____)

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

Water Right 35-11343



NAME AND ADDRESS: JOHN HOUGHLAND
1842 2 800 S
PINGREE, ID 83262

SOURCE: GROUNDWATER

QUANTITY: 0.07 CFS

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

PRIORITY DATE: 05/01/1910

POINT OF DIVERSION: T04S R32E S23 SWSNW Within Bingham County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic	01-01 TO 12-31	0.04 CFS
	Stockwater	01-01 TO 12-31	0.03 CFS

PLACE OF USE:	Stockwater	Within Bingham County
	T04S R32E S23	SWNW
	Domestic	Within Bingham County
	T04S R32E S23	SWNW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

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.


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF AMENDED PARTIAL DECREE was mailed on June 29, 2009, with sufficient first-class postage to the following:

JOHN HOUGHLAND

Represented by:
DWIGHT E. BAKER
266 WEST BRIDGE
BLACKFOOT, ID 83221
Phone: 208-785-2310

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

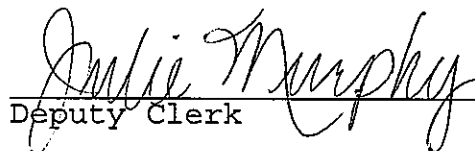
JOHN HOUGHLAND
1842 2 800 S
PINGREE, ID 83262

ORDER

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FILE COPY FOR 02237

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".