

RECEIVED
MAY 04 2007
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
MAY 3 - 2007	
By _____	Clerk
_____	Deputy 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	)	ORDER OF AMENDED PARTIAL DECREES
	)	
Case No. 39576	)	SUBCASES: 41-00008E, 41-00013C
	)	and 41-10230
	)	
	)	
	)	
	)	

On February 8, 2007, a *Special Master's Report and Recommendation* was filed for the above-captioned water rights. No Challenges were filed to the *Amended 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. On February 23, 2007, the Idaho Department of Water Resources filed a *Notice of Completed Administrative Proceeding* and *Amended Director's Reports* for each of the above-captioned rights, notifying the Court of a change of address for the claimants of said rights. No objections were filed to the *Amended Director's Reports* and the time period for filing objections has expired.

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 The previously issued *Partial Decrees* are replaced and superseded thereby.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 May 3, 2007.

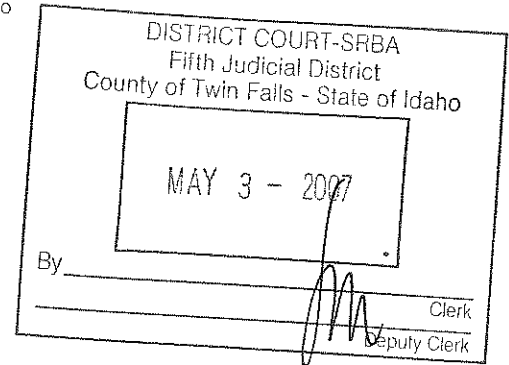

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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 41-00008E



NAME AND ADDRESS: ROBERT R SPILLETT
PO BOX 144
ROCKLAND, ID 83271

JAMES V SPILLETT
986 BRYAN
POCATELLO, ID 83201

SOURCE: ROCK CREEK, SOUTH FORK TRIBUTARY: ROCK CREEK

QUANTITY: 0.355 CFS

THE QUANTITY LISTED ABOVE SHALL BE MEASURED AT THE POINT OF
DIVERSION LISTED FOR THIS RIGHT BY MEANS OF A MEASURING BOX OF
THE TYPE AND DIMENSIONS DECREED BY IN RE HOUTZ ET AL (ONEIDA
COUNTY, SIXTH JUDICIAL DISTRICT COURT, JUNE 6, 1903). ANY CHANGE
IN THE METHOD OF MEASUREMENT SHALL CONSTITUTE A CHANGE IN THE
POINT OF DIVERSION REQUIRING APPROVAL BY THE IDAHO DEPARTMENT OF
WATER RESOURCES AS A TRANSFER PURSUANT TO I.C. SECTION 42-222.

PRIORITY DATE: 10/01/1879

POINT OF DIVERSION: T10S R31E S33 NENENW Within Power County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.355 CFS

PLACE OF USE:	Irrigation	Within Power County
	T10S R31E S29 NWNE 22.5	NENW 20.5
	43.0 Acres Total	

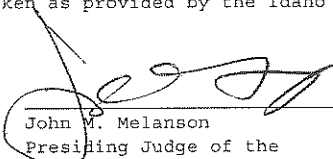
USE OF THIS RIGHT WITH RIGHT NO. 41-10230 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 43 ACRES IN A SINGLE IRRIGATION
SEASON.

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.



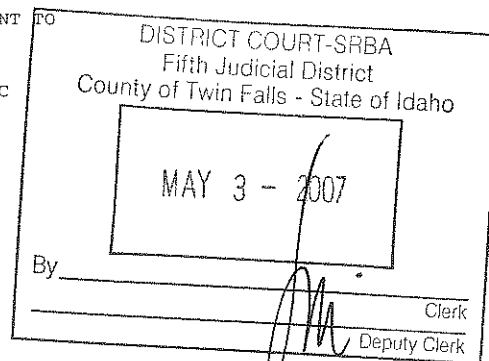
John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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 41-00013C



NAME AND ADDRESS: ROBERT R SPILLETT
PO BOX 144
ROCKLAND, ID 83271

JAMES V SPILLETT
986 BRYAN
POCATELLO, ID 83201

SOURCE: SOUTH FORK ROCK CREEK TRIBUTARY: ROCK CREEK

QUANTITY: 0.20 CFS

THE QUANTITY LISTED ABOVE SHALL BE MEASURED AT THE POINT OF
DIVERSION LISTED FOR THIS RIGHT BY MEANS OF A MEASURING BOX OF
THE TYPE AND DIMENSIONS DECREED BY IN RE HOUTZ ET AL (ONEIDA
COUNTY, SIXTH JUDICIAL DISTRICT COURT, JUNE 6, 1903). ANY CHANGE
IN THE METHOD OF MEASUREMENT SHALL CONSTITUTE A CHANGE IN THE
POINT OF DIVERSION REQUIRING APPROVAL BY THE IDAHO DEPARTMENT OF
WATER RESOURCES AS A TRANSFER PURSUANT TO I.C. SECTION 42-222.

PRIORITY DATE: 05/01/1881

POINT OF DIVERSION: T10S R31E S29 SWNENW Within Power County
S33 NENENW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.20 CFS

PLACE OF USE:	Irrigation	Within Power County
	T10S R31E S29 NWNE 22.5	NENW 25.5
	48.0 Acres Total	

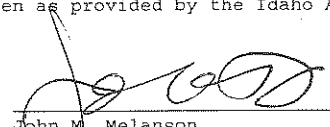
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 48 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 41-8E & 41-10230.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 10 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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.



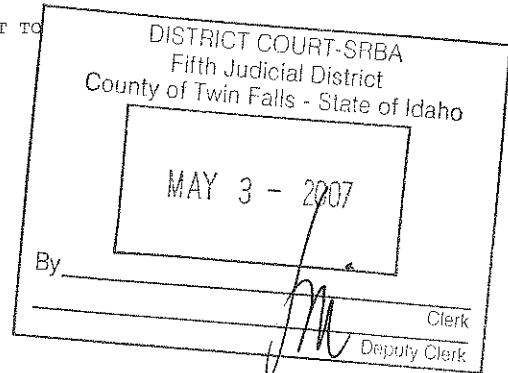
John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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 41-10230



NAME AND ADDRESS: ROBERT R SPILLETT
PO BOX 144
ROCKLAND, ID 83271

JAMES V SPILLETT
986 BRYAN
POCATELLO, ID 83201

SOURCE: ROCK CREEK, SOUTH FORK TRIBUTARY: ROCK CREEK

QUANTITY: 1.00 CFS

THE QUANTITY LISTED ABOVE SHALL BE MEASURED AT THE POINT OF
DIVERSION LISTED FOR THIS RIGHT BY MEANS OF A MEASURING BOX OF
THE TYPE AND DIMENSIONS DECREED BY IN RE HOUTZ ET AL (ONEIDA
COUNTY, SIXTH JUDICIAL DISTRICT COURT, JUNE 6, 1903). ANY CHANGE
IN THE METHOD OF MEASUREMENT SHALL CONSTITUTE A CHANGE IN THE
POINT OF DIVERSION REQUIRING APPROVAL BY THE IDAHO DEPARTMENT OF
WATER RESOURCES AS A TRANSFER PURSUANT TO I.C. SECTION 42-222.

PRIORITY DATE: 04/01/1909

POINT OF DIVERSION: T10S R31E S33 NENENW Within Power County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.00 CFS

PLACE OF USE:	Irrigation	Within Power County
	T10S R31E S29	NWNE 22.5
	43.0 Acres Total	NENW 20.5

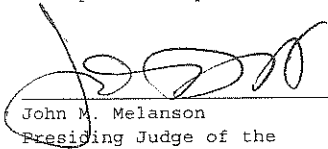
USE OF THIS RIGHT WITH RIGHT NO. 41-00008E IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 43.0 ACRES IN A SINGLE
IRRIGATION SEASON.

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.



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 DECREES was mailed on May 03, 2007, with sufficient first-class postage to the following:

JUAN JAMES SPILLETT

Represented by:

JASON D. WALKER

615 H ST

PO BOX 396

RUPERT, ID 83350-0396

Phone: 208-436-4717

ROBERT R SPILLETT

PO BOX 144

ROCKLAND, ID 83271

Phone: 208-548-2254

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

JAMES V SPILLETT

986 BRYAN

POCATELLO, ID 83201

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".