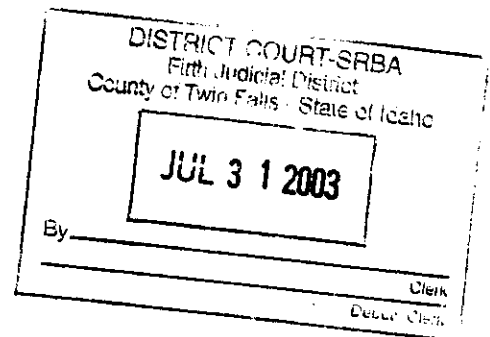


RECEIVED

AUG - 6 2003

Department of Water Resources



**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**

**ORDER OF AMENDED PARTIAL DECREES;  
I.R.C.P. 60(a)**

**For Water Rights Listed on Exhibit A**

On July 18, 2002, *Partial Decrees* were issued for the water rights listed on Exhibit A attached. On July 17, 2003, the Idaho Department of Water Resources notified the Court about partial omissions in the descriptions of the Source element. In reviewing these water rights, the Court determines these omissions were the result of clerical errors.

Therefore, IT IS ORDERED that the water rights listed on the attached Exhibit A 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 The previously issued *Partial Decrees* are replaced and superseded thereby.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 July 31, 2003.

A handwritten signature in cursive script that reads "Roger Burdick".

ROGER S. BURDICK  
Presiding Judge  
Snake River Basin Adjudication

## **EXHIBIT A**

|          |    |                            |
|----------|----|----------------------------|
| 65-09679 | -- | W H Sharlie                |
| 65-09685 | -- | WH Sharlie                 |
| 65-09825 | -- | Quaker Hill Conference Inc |
| 65-10797 | -- | Marcia H Herr              |
| 65-11302 | -- | United States              |
| 65-11322 | -- | John Bequette              |
| 65-11402 | -- | Moses Cattle Co            |

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 65-09679

|                                                                                         |              |
|-----------------------------------------------------------------------------------------|--------------|
| DISTRICT COURT-SRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho |              |
| JUL 31 2003                                                                             |              |
| By _____                                                                                | Clerk        |
| _____                                                                                   | Deputy Clerk |

NAME AND ADDRESS: W H SHARLIE  
1414 E FORT ST  
BOISE, ID 83712

SOURCE: PAYETTE LAKE TRIBUTARY: NORTH FORK PAYETTE RIVER

QUANTITY: 0.02 CFS

PRIORITY DATE: 06/01/1939

POINT OF DIVERSION: T19N R03E S28 LOT 4 (SWSW ) Within Valley County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Irrigation     | 04-15 TO 10-15 | 0.02 CFS |

PLACE OF USE: Irrigation Within Valley County  
T19N R03E S28 LOT 4 (SWSW) 1.0  
1.0 Acres Total

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.

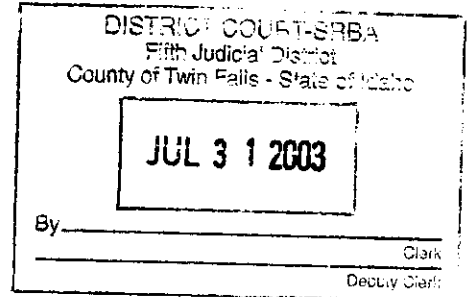
*Roger Burdick*

\_\_\_\_\_  
Roger Burdick  
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 )  
 ) PARTIAL DECREE PURSUANT TO  
 ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
 )  
 ) Water Right 65-09685



NAME AND ADDRESS: W H SHARLIE  
1414 E FORT ST  
BOISE, ID 83712

SOURCE: PAYETTE LAKE TRIBUTARY: NORTH FORK PAYETTE RIVER

QUANTITY: 0.02 CFS

PRIORITY DATE: 06/01/1938

POINT OF DIVERSION: T19N R03E S28 LOT 4 (SESW ) Within Valley County

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|----------------------------|----------------|----------------|----------|
|                            | Irrigation     | 04-15 TO 10-15 | 0.02 CFS |

PLACE OF USE: Irrigation Within Valley County  
T19N R03E S28 LOT 4 (SESW) 1.0  
1.0 Acres Total

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  
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*Roger Burdick*

Roger Burdick  
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 )  
 ) PARTIAL DECREE PURSUANT TO  
 ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
 )  
 ) Water Right 65-09825

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

JUL 31 2003

By

Clerk

Deputy Clerk

NAME AND ADDRESS: QUAKER HILL CONFERENCE INC  
11440 WARREN WAGON RD  
PO BOX 1181  
MC CALL, ID 83638

SOURCE: PAYETTE LAKE TRIBUTARY: NORTH FORK PAYETTE RIVER

QUANTITY: 0.04 CFS  
7.30 AFY

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

PRIORITY DATE: 06/01/1930

POINT OF DIVERSION: T18N R03E S05 SWSW Within Valley County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Irrigation     | 04-15 TO 10-15 | 0.02 CFS |
|                               |                |                | 7.30 AFY |
|                               | Domestic       | 01-01 TO 12-31 | 0.04 CFS |
|                               |                |                | 7.30 AFY |

Domestic use is for church camp.

PLACE OF USE: Irrigation Within Valley County  
T18N R03E S06 SESE 1.0  
1.0 Acres Total  
Domestic Within Valley County  
T18N R03E S06 SESE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR  
DOMESTIC USE 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).

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 )  
 ) PARTIAL DECREE PURSUANT TO  
 ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
 )  
 ) Water Right 65-10797

|                                       |              |
|---------------------------------------|--------------|
| DISTRICT COURT-SRBA                   |              |
| Fifth Judicial District               |              |
| County of Twin Falls - State of Idaho |              |
| JUL 3 1 2003                          |              |
| By _____                              | Clerk        |
| _____                                 | Deputy Clerk |

NAME AND ADDRESS: MARCIA H HERR  
RODNEY H HERR  
400 COSTON DR  
BOISE, ID 83712

SOURCE: UNNAMED STREAM TRIBUTARY: NORTH FORK COON CREEK

QUANTITY: 0.05 CFS  
2.70 AFY

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

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A  
TOTAL COMBINED DIVERSION RATE OF .05 CFS AND TO A TOTAL  
COMBINED ANNUAL DIVERSION VOLUME OF 2.7 AF. COMBINED RIGHT  
NOS.:65-22277, 65-22278 & 65-10796

PRIORITY DATE: 06/01/1957

POINT OF DIVERSION: T08N R02E S19 NESW Within Boise County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Stockwater     | 01-01 TO 12-31 | 0.05 CFS |
|                               |                |                | 2.70 AFY |

PLACE OF USE: Stockwater Within Boise County  
T08N R02E S19 NESW

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**

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*Roger Burdick*

Roger Burdick  
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 65-11302

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

JUL 31 2003

By \_\_\_\_\_ Clerk  
\_\_\_\_\_  
Deputy Clerk

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTIN  
USDA FOREST SERVICE  
550 W FORT ST MSC 033  
BOISE, ID 83724

SOURCE: LICK CREEK TRIBUTARY: SOUTH FORK PAYETTE RIVER

QUANTITY: 0.40 CFS

PRIORITY DATE: 05/29/1905

POINT OF DIVERSION: T09N R07E S35 NENE Within Boise County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Irrigation     | 04-15 TO 10-15 | 0.40 CFS |

PLACE OF USE: Irrigation Within Boise County  
T09N R07E S35 LOT 5 (SWNE)10.0 LOT 6 (SENE)10.0  
20.0 Acres Total

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

FOREST SERVICE RECORD ID. 4 2 17050120 45 0 0044  
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  
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*Roger Burdick*

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Snake River Basin Adjudication

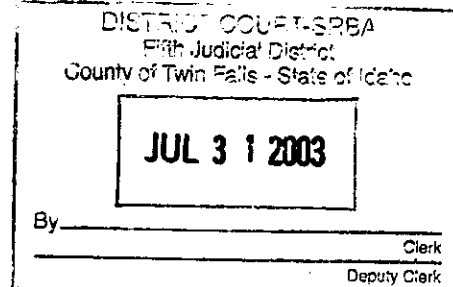
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

AMENDED

In Re SRBA )  
 )  
Case No. 39576 )  
\_\_\_\_\_ )

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

Water Right 65-11322



NAME AND ADDRESS: JOHN BEQUETTE  
LINDA BEQUETTE  
3390 FLINT DR  
EAGLE, ID 83616

SOURCE: UNNAMED STREAM TRIBUTARY: SOUTH FORK PAYETTE RIVER

QUANTITY: 1.10 CFS  
2.40 AFY

THIS RIGHT SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE  
DELIVERED TO THE FIELD HEAD GATE.

PRIORITY DATE: 06/01/1912

POINT OF DIVERSION: T09N R04E S17 SWSW Within Boise County  
S20 NWNW

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Domestic       | 01-01 TO 12-31 | 0.04 CFS |
|                               |                |                | 2.40 AFY |
|                               | Irrigation     | 04-01 TO 11-01 | 1.10 CFS |

PLACE OF USE: Irrigation Within Boise County  
T09N R04E S17 SWSW 3.0  
S20 NWNW 16.0 SWNW 17.0  
NWSW 15.0  
51.0 Acres Total

Domestic Within Boise County  
Same as Irrigation

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC  
USE 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  
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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 )  
 ) PARTIAL DECREE PURSUANT TO  
 ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
 )  
 ) Water Right 65-11402

|                                       |              |
|---------------------------------------|--------------|
| DISTRICT COURT-SRBA                   |              |
| Fifth Judicial District               |              |
| County of Twin Falls - State of Idaho |              |
| <b>JUL 31 2003</b>                    |              |
| By _____                              | Clerk        |
| _____                                 | Deputy Clerk |

NAME AND ADDRESS: MOSES CATTLE CO  
C/O ROY MOSES  
8777 OLA HWY  
SWEET, ID 83670

SOURCE: NORTH FORK COON CREEK TRIBUTARY: COON CREEK

QUANTITY: 1.14 CFS

PRIORITY DATE: 05/29/1927

POINT OF DIVERSION: T08N R01E S26 SWNW Within Gem County

|                |                |                |          |
|----------------|----------------|----------------|----------|
| PURPOSE AND    |                |                |          |
| PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|                | Irrigation     | 04-01 TO 11-01 | 1.14 CFS |

|               |                  |                     |
|---------------|------------------|---------------------|
| PLACE OF USE: | Irrigation       | Within Gem County   |
|               | T08N R01E S26    | SWNW 6.0            |
|               | S27              | SWNE 12.0 SENE 14.0 |
|               |                  | NESE 9.0 NWSE 16.0  |
|               | 57.0 Acres Total |                     |

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  
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*Roger Burdick*

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Roger Burdick  
Presiding Judge of the  
Snake River Basin Adjudication