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JUN 20 2003

2003 JUN 18 PM 12:02

Department of Water Resources

FILED
T-SRBA
TWIN FALLS CO., IDAHO

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

) Subcases 36-02653C & 36-02653D
) (split rights 36-02653N, 36-02653P & 36-
) 02653Q)
) (Young & Young Partnership)
)
) SPECIAL MASTER REPORT
) AND RECOMMENDATION
) and
) ORDER GRANTING JOINT MOTION
) TO DISMISS OBJECTIONS

Findings of Fact

Young & Young filed a *Notice of Claim to a Water Right* under 36-02653C on August 1, 1989, claiming 6.51 cfs from groundwater to irrigate 477 acres in Minidoka County from April 1 to October 31 with a priority date of September 12, 1966, based on a license. The same date, Young & Young filed a *Notice of Claim* under 36-02653D claiming .38 cfs from groundwater to irrigate 28 acres in Minidoka County from April 1 to October 31 with a priority date of September 12, 1966, also based on a license.

The Director of the Idaho Department of Water Resources filed his *Director's Report, Part I, for Reporting Area 3 (Basin 36)* on November 2, 1992. The Director recommended 36-02653C as claimed for irrigation of 477 acres within a 572 acre place of use. The Director recommended 36-02653D as filed for irrigation of 28 acres within a 572 acre place of use.

On April 30, 1993, the United States of America, Department of Interior, Bureau of Land Management (USDI/BLM) filed *Objections* in subcases 36-02653C and 36-02653D objecting to quantity, place of use and consumptive use. The same date, the United States of America, Department of Interior, Bureau of Reclamation (USDI/BUREC) filed an *Objections* in the two subcases objecting to place of use and remarks. On July 30, 1997, Young & Young and the United States filed *Standard Forms 5* in the two subcases.

IDWR filed a *Notice of Completed Administrative Proceeding* on May 22, 2002, for I.C. § 42-222 transfer #66087 stating:

Portions of 36-02653C and 36-02653D have been combined to form three new water rights. These combined rights are now recommended as 36-02653N, 36-02653P and 36-02653Q and constitute the entirety of 36-02653C and 36-02653D. 36-02653C and 36-02653D are no longer valid subcase numbers and should be decreed disallowed.

On July 2, 2002, the Special Master entered an ***Order Granting USDI/BUREC Motion to Withdraw Objections*** in several subcases including 36-02653C and 36-02653D. Young & Young Partnership and the USDI/BLM filed a *Stipulation to Resolve United States' Objections and Joint Motion to Dismiss Objections* in subcases 36-02653C, 36-02653D, 36-07041 and 36-11340 on January 27, 2003.

Order

THEREFORE, IT IS ORDERED that the *Joint Motion to Dismiss Objections* is **granted**.

Conclusions of Law

Young & Young Partnership, 230 North, 500 East, Rupert, Idaho, 83350-9772, is entitled to partial decrees adjudicating water rights under claims 36-02653N, 36-02653P and 36-02653Q as described in the *Amended Director's Report* and the attached ***Special Master Recommendations for Partial Decrees for Water Rights 36-02653N, 36-02653P and 36-02653Q.***

Recommendation

THEREFORE, IT IS RECOMMENDED that claims 36-02653C and 36-02653D be **disallowed** because the two combined claims have been split into 36-02653N, 36-02653P and 36-02653Q.

DATED June 18, 2003.


TERRENCE A. DOLAN
Special Master
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

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

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

Water Right 36-02653N

2003 JUN 18 PM 12:02

NOTICE OF FILING
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: YOUNG & YOUNG PARTNERSHIP
230 N 500 E
RUPERT, ID 83350-9772

SOURCE: GROUNDWATER

QUANTITY: 0.05 CFS
16.00 AFY

PRIORITY DATE: 09/12/1966

POINT OF DIVERSION:	T06S R23E S26	SWNENW	Within Minidoka County
		SWNENW	
		SWNESW	
		SWNESW	
	S32	SWSWSE	Within Lincoln County
		SWSWSE	
	S33	NWNWNE	
		NWNWNE	
		NESESW	
		NESESW	
	R24E S31	SWNENE	
		SWNENE	
	LOT 7	(SENESEW)	Within Minidoka County
	LOT 7	(SENESEW)	
	S32	SESENE	
		SESENE	
		NWNWSW	
	S33	NESWNW	
		SWSESW	
	T07S R23E S01	NENESW	
	S03 LOT 3	(NENENW)	
	S11	SESENE	
		SENESE	
		NESWSE	
	S12	SWSENE	
		NWSENE	
		NWSESW	
	S13	NESWNE	
		NESWNW	
	S14	NESWNE	
		SENESE	
	S24	NENENE	
		NESWSW	
	R24E S04	NWNESE	
	S06	NENENE	
	S07	SWNENE	
	S11	NWSENE	
	S16	NENWSW	
	S20	SESENE	
	S21	SWNENE	

TWO POINTS OF DIVERSION LOCATED IN T06S, R23E, S26, SWNENW.
TWO POINTS OF DIVERSION LOCATED IN T06S, R23E, S26, SWNESW.
TWO POINTS OF DIVERSION LOCATED IN T06S, R23E, S32, SWSWSE.
TWO POINTS OF DIVERSION LOCATED IN T06S, R23E, S33, NWNWNE.
TWO POINTS OF DIVERSION LOCATED IN T06S, R23E, S33, NESESW.
TWO POINTS OF DIVERSION LOCATED IN T06S, R24E, S31, SWNENE.
TWO POINTS OF DIVERSION LOCATED IN T06S, R24E, S31, SESENE, LOT 7

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

POINT OF DIVERSION (continued)

TWO POINTS OF DIVERSION LOCATED IN T06S, R24E, S32, SESENE.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.05 CFS 16.00 AFY
PLACE OF USE:	Irrigation		Within Minidoka County
	T06S R23E S26	NENW 33.0	NWNW 33.0
		SWNW 33.0	SENW 33.0
		NESW 33.0	NWSW 33.0
		SWSW 33.0	SESW 33.0
	S32	NESW 30.5	NWSW 30.5
		SWSW 30.5	SESW 30.5
		NESE 30.5	NWSE 30.5
		SWSE 30.5	SESE 30.5
	S33	NENE 32.5	NWNE 32.5
		SWNE 32.5	SENE 32.5
		NENW 32.5	NWNW 32.5
		SWNW 32.5	SENW 32.5
		NESW 32.5	NWSW 32.5
		SWSW 32.5	SESW 32.5
		NESE 32.5	NWSE 32.5
		SWSE 32.5	SESE 32.5
	S36	SESW 7.0	SWSE 20.0
		SESE 9.0	
	R24E S28	NWSW 33.0	SWSW 38.0
		SESW 39.0	
	S29	SESE 35.0	
	S30	SWSE 15.0	SESE 30.0
	S31	NENE 39.0	NWNE 40.0
		SWNE 35.0	SENE 29.0
	LOT 1	(NENW) 8.0	LOT 5 (SWNW) 29.0
	LOT 6	(SENW) 15.0	LOT 7 (NESW) 38.0
	LOT 8	(NWSW) 55.0	LOT 10 (SWSW) 49.0
	LOT 12	(SESW) 34.0	NESE 37.0
		NWSE 40.0	SWSE 37.0
		SESE 29.0	
	S32	NENE 33.0	NWNE 33.0
		SWNE 39.0	SENE 38.0
		NENW 33.0	NWNW 33.0
		SWNW 38.0	SENW 39.0
		NESW 39.0	NWSW 38.0
		SWSW 33.0	SESW 33.0
		NESE 38.0	NWSE 39.0
		SWSE 33.0	SESE 33.0
	S33	NENW 39.0	NWNW 38.0
		SWNW 39.0	SENW 39.0
		NESW 39.0	NWSW 38.0
		SWSW 20.0	SESW 33.0
	T07S R23E S01 LOT 1	(NENE) 18.0	LOT 2 (NWNE) 18.0
		SWNE 39.0	SENE 39.0
	LOT 3	(NENW) 18.0	LOT 4 (NWNW) 18.0
		SWNW 39.0	SENW 39.0
		NESW 36.0	NWSW 36.0
		SWSW 33.0	SESW 33.0
		NESE 36.0	SWSE 36.0
		SWSE 33.0	SESE 33.0
	S02 LOT 1	(NENE) 18.0	LOT 2 (NWNE) 18.0
		SWNE 37.0	SENE 37.0
	LOT 3	(NENW) 18.0	LOT 4 (NWNW) 18.0
		SWNW 37.0	SENW 37.0
		NESW 27.0	NWSW 27.0

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

	SWSW 39.0		SESW 39.0
	NESE 31.0		NWSE 22.0
	SWSE 21.0		SESE 36.0
S03 LOT 1	(NENE) 18.0	LOT 2	(NWNE) 18.0
	SWNE 37.0		SENE 37.0
LOT 3	(NENW) 18.0	LOT 4	(NWNW) 18.0
	SWNW 37.0		SENE 37.0
	NESW 10.0		NWSW 10.0
	NESE 27.0		NWSE 27.0
	SWSE 39.0		SESE 39.0
S10	NENE 9.0		NWNE 9.0
S11	NENE 32.5		NWNE 32.5
	SWNE 32.5		SENE 32.5
	NENW 9.0		NWNW 9.0
	NESW 32.5		NWSW 32.5
	SWSW 32.5		SESW 32.5
	NESE 32.5		NWSE 32.5
	SWSE 32.5		SESE 32.5
S12	NENE 33.0		NWNE 33.0
	SWNE 33.0		SENE 33.0
	NENW 33.0		NWNW 33.0
	SWNW 33.0		SENE 33.0
	NESW 33.0		NWSW 33.0
	SWSW 39.0		SESW 39.0
	NESE 33.0		NWSE 33.0
	SWSE 39.0		SESE 33.0
S13	NENE 33.0		NWNE 39.0
	SWNE 33.0		SENE 33.0
	NENW 39.0		NWNW 38.0
	SWNW 33.0		SENE 33.0
	NESW 38.0		NWSW 38.0
	SWSW 33.0		SESW 39.0
	NESE 33.0		NWSE 38.0
	SWSE 38.0		SESE 35.0
S14	NENE 32.5		NWNE 15.0
	SENE 32.5		NESW 35.0
	NWSW 28.0		SWSW 1.0
	SESW 9.0		NESE 36.0
	NWSE 31.0		SWSE 14.0
	SESE 25.0		
S24	NENE 36.0		NWNE 17.0
	SWNE 28.0		SENE 17.0
	NENW 15.0		NWNW 1.0
	SWNW 36.0		SENE 36.0
	NESW 39.0		NWSW 32.0
	SWSW 37.0		SESW 37.0
	NESE 36.0		NWSE 39.0
	SWSE 35.0		SESE 32.0
R24E S02 LOT 1	(NENE) 9.0	LOT 2	(NWNE) 9.0
	SWNE 33.0		SENE 33.0
S04 LOT 1	(NENE) 20.0	LOT 2	(NWNE) 20.0
	SWNE 39.0		SENE 33.0
LOT 3	(NENW) 20.0	LOT 4	(NWNW) 20.0
	SWNW 33.0		SENE 39.0
	NESE 33.0		NWSE 39.0
	SWSE 33.0		SESE 33.0
S06 LOT 1	(NENE) 18.0	LOT 2	(NWNE) 18.0
	SWNE 39.0		SENE 39.0
	NESE 36.0		NWSE 36.0
	SWSE 33.0		SESE 33.0
S07	NENE 33.0		NWNE 33.0
	SWNE 33.0		SENE 33.0
	NENW 33.0		SENE 33.0
S11	NENW 33.0		NWNW 33.0

PLACE OF USE (continued)

8644.0 Acres Total

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).

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.

RECOMMENDATION

JUN 18 2003

Thomas A. Dillan

SPECIAL MASTER

PAGE 4
Jun-17-2003

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)
)

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

Water Right 36-02653P

2003 JUN 18 PM 12:02

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: YOUNG & YOUNG PARTNERSHIP
230 N 500 E
RUFERT, ID 83350-9772

SOURCE: GROUNDWATER

QUANTITY: 6.75 CFS
1980.00 AFY

PRIORITY DATE: 09/12/1966

POINT OF DIVERSION:	T06S R23E S26	SWNENW	Within Minidoka County
		SWNENW	
		SWNESW	
		SWNESW	
	S32	SWSWSE	Within Lincoln County
		SWSWSE	
	S33	NWNWNE	
		NWNWNE	
		NESESW	
		NESESW	
	R24E S31	SWNENE	
		SWNENE	
	LOT 7	(SENESEW)	Within Minidoka County
	LOT 7	(SENESEW)	
	S32	SESENE	
		SESENE	
		NWNWSW	
	S33	NESWNW	
		SWSESW	
	T07S R23E S01	NENESW	
	S03 LOT 3	(NENENW)	
	S11	SESENW	
		SENWSW	
		NESWSE	
	S12	SWSENE	
		NWSENW	
		NWSESW	
	S13	NESWNE	
		NESWNW	
	S14	NESWNE	
		SENESEW	
	S24	NENENE	
		NESWSW	
	R24E S04	NWNESE	
	S06	NENESE	
	S07	SWNENE	
	S11	NWSWNW	
	S16	NENWSW	
	S20	SESWNE	
	S21	SWNWNW	

TWO POINTS OF DIVERSION LOCATED IN T06S, R23E, S26, SWNENW.
TWO POINTS OF DIVERSION LOCATED IN T06S, R23E, S26, SWNESW.
TWO POINTS OF DIVERSION LOCATED IN T06S, R23E, S32, SWSWSE.
TWO POINTS OF DIVERSION LOCATED IN T06S, R23E, S33, NWNWNE.
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TWO POINTS OF DIVERSION LOCATED IN T06S, R24E, S31, SWNENE.
TWO POINTS OF DIVERSION LOCATED IN T06S, R24E, S31, SESESW, LOT 7

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

POINT OF DIVERSION (continued)

TWO POINTS OF DIVERSION LOCATED IN T06S, R24E, S32, SESENE.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	6.75 CFS 1980.00 AFY
PLACE OF USE:	Irrigation		Within Minidoka County
	T06S R23E S26	NENW 33.0	NWNW 33.0
		SWNW 33.0	SENW 33.0
		NESW 33.0	NWSW 33.0
		SWSW 33.0	SESW 33.0
	S32	NESW 30.5	NWSW 30.5
		SWSW 30.5	SESW 30.5
		NESE 30.5	NWSE 30.5
		SWSE 30.5	SESE 30.5
	S33	NENE 32.5	NWNE 32.5
		SWNE 32.5	SENE 32.5
		NENW 32.5	NWNW 32.5
		SWNW 32.5	SENW 32.5
		NESW 32.5	NWSW 32.5
		SWSW 32.5	SESW 32.5
		NESE 32.5	NWSE 32.5
		SWSE 32.5	SESE 32.5
	S36	SESW 7.0	SWSE 20.0
		SESE 9.0	
	R24E S28	NWSW 33.0	SWSW 38.0
		SESW 39.0	
	S29	SESE 35.0	
	S30	SWSE 15.0	SESE 30.0
	S31	NENE 39.0	NWNE 40.0
		SWNE 35.0	SENE 29.0
	LOT 1	(NENW) 8.0	LOT 5 (SWNW) 29.0
	LOT 6	(SENW) 15.0	LOT 7 (NESW) 38.0
	LOT 8	(NWSW) 55.0	LOT 10 (SWSW) 49.0
	LOT 12	(SESW) 34.0	NESE 37.0
		NWSE 40.0	SWSE 37.0
		SESE 29.0	
	S32	NENE 33.0	NWNE 33.0
		SWNE 39.0	SENE 38.0
		NENW 33.0	NWNW 33.0
		SWNW 38.0	SENW 39.0
		NESW 39.0	NWSW 38.0
		SWSW 33.0	SESW 33.0
		NESE 38.0	NWSE 39.0
		SWSE 33.0	SESE 33.0
	S33	NENW 39.0	NWNW 38.0
		SWNW 39.0	SENW 39.0
		NESW 39.0	NWSW 38.0
		SWSW 20.0	SESW 33.0
	T07S R23E S01 LOT 1	(NENE) 18.0	LOT 2 (NWNE) 18.0
		SWNE 39.0	SENE 39.0
	LOT 3	(NENW) 18.0	LOT 4 (NWNW) 18.0
		SWNW 39.0	SENW 39.0
		NESW 36.0	NWSW 36.0
		SWSW 33.0	SESW 33.0
		NESE 36.0	SWSE 36.0
		SWSE 33.0	SESE 33.0
	S02 LOT 1	(NENE) 18.0	LOT 2 (NWNE) 18.0
		SWNE 37.0	SENE 37.0
	LOT 3	(NENW) 18.0	LOT 4 (NWNW) 18.0
		SWNW 37.0	SENW 37.0
		NESW 27.0	NWSW 27.0

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

	SWSW 39.0		SESW 39.0
	NESE 31.0		NWSE 22.0
	SWSE 21.0		SESE 36.0
S03 LOT 1	(NENE) 18.0	LOT 2	(NWNE) 18.0
	SWNE 37.0		SENE 37.0
LOT 3	(NENW) 18.0	LOT 4	(NWNW) 18.0
	SWNW 37.0		SENE 37.0
	NESW 10.0		NWSW 10.0
	NESE 27.0		NWSE 27.0
	SWSE 39.0		SESE 39.0
S10	NENE 9.0		NWNE 9.0
S11	NENE 32.5		NWNE 32.5
	SWNE 32.5		SENE 32.5
	NENW 9.0		NWNW 9.0
	NESW 32.5		NWSW 32.5
	SWSW 32.5		SESW 32.5
	NESE 32.5		NWSE 32.5
	SWSE 32.5		SESE 32.5
S12	NENE 33.0		NWNE 33.0
	SWNE 33.0		SENE 33.0
	NENW 33.0		NWNW 33.0
	SWNW 33.0		SENE 33.0
	NESW 33.0		NWSW 33.0
	SWSW 39.0		SESW 39.0
	NESE 33.0		NWSE 33.0
	SWSE 39.0		SESE 33.0
S13	NENE 33.0		NWNE 39.0
	SWNE 33.0		SENE 33.0
	NENW 39.0		NWNW 38.0
	SWNW 33.0		SENE 33.0
	NESW 38.0		NWSW 38.0
	SWSW 33.0		SESW 39.0
	NESE 33.0		NWSE 38.0
	SWSE 38.0		SESE 35.0
S14	NENE 32.5		NWNE 15.0
	SENE 32.5		NESW 35.0
	NWSW 28.0		SWSW 1.0
	SESW 9.0		NESE 36.0
	NWSE 31.0		SWSE 14.0
	SESE 25.0		
S24	NENE 36.0		NWNE 17.0
	SWNE 28.0		SENE 17.0
	NENW 15.0		NWNW 1.0
	SWNW 36.0		SENE 36.0
	NESW 39.0		NWSW 32.0
	SWSW 37.0		SESW 37.0
	NESE 36.0		NWSE 39.0
	SWSE 35.0		SESE 32.0
R24E S02 LOT 1	(NENE) 9.0	LOT 2	(NWNE) 9.0
	SWNE 33.0		SENE 33.0
S04 LOT 1	(NENE) 20.0	LOT 2	(NWNE) 20.0
	SWNE 39.0		SENE 33.0
LOT 3	(NENW) 20.0	LOT 4	(NWNW) 20.0
	SWNW 33.0		SENE 39.0
	NESE 33.0		NWSE 39.0
	SWSE 33.0		SESE 33.0
S06 LOT 1	(NENE) 18.0	LOT 2	(NWNE) 18.0
	SWNE 39.0		SENE 39.0
	NESE 36.0		NWSE 36.0
	SWSE 33.0		SESE 33.0
S07	NENE 33.0		NWNE 33.0
	SWNE 33.0		SENE 33.0
	NENW 33.0		SENE 33.0
S11	NENW 33.0		NWNW 33.0

PLACE OF USE (continued)

	SWNW	25.0	SENW	39.0
S16	NESW	39.0	NWSW	33.0
	SWSW	33.0	SESW	33.0
	NENE	33.0	NWNE	33.0
	SWNE	39.0	SENE	33.0
	NENW	33.0	NWNW	33.0
	SWNW	33.0	SENW	39.0
	NESW	39.0	NWSW	32.0
	SWSW	32.0	SESW	33.0
S20	NESE	33.0	NWSE	39.0
	SWSE	33.0	SESE	33.0
	NENE	33.0	NWNE	38.0
	SWNE	36.0	SENE	33.0
	NENW	38.0	NWNW	33.0
	SWNW	33.0	SENW	38.0
	NESW	29.0	NWSW	8.0
	NESE	39.0	NWSE	39.0
S21	SWSE	2.0	SESE	5.0
	NENE	33.0	NWNE	38.0
	SWNE	39.0	SENE	33.0
	NENW	38.0	NWNW	33.0
	SWNW	33.0	SENW	39.0

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).

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.

RECOMMENDATION

JUN 18 2003

James A. Dill

SPECIAL MASTER

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

In Re SRBA)
Case No. 39576)
_____)

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

Water Right 36-02653Q

2003 JUN 18 PM 12:02

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: YOUNG & YOUNG PARTNERSHIP
230 N 500 E
RUPERT, ID 83350-9772

SOURCE: GROUNDWATER

QUANTITY: 0.09 CFS
28.00 AFY

PRIORITY DATE: 09/12/1966

POINT OF DIVERSION:	T06S R23E S26	SWNENW	Within Minidoka County
		SWNENW	
		SWNESW	
		SWNESW	
	S32	SWSWSE	Within Lincoln County
		SWSWSE	
	S33	NWNWNE	
		NWNWNE	
		NESESW	
		NESESW	
	R24E S31	SWNENE	
		SWNENE	
	LOT 7	(SENESEW)	Within Minidoka County
	LOT 7	(SENESEW)	
	S32	SESENE	
		SESENE	
		NWNWSW	
	S33	NESWNW	
		SWSESW	
		NENESW	
	T07S R23E S01		
	S03 LOT 3	(NENENW)	
	S11	SESENW	
		SESENW	
		SESENE	
	S12	SWSENE	
		NWSESW	
		NWSESW	
	S13	NESWNE	
		NESWNE	
	S14	NESWNE	
		SESESW	
	S24	NENENE	
		NESWSW	
	R24E S04	NWNESE	
	S06	NENENE	
	S07	SWNENE	
	S11	NWSWNW	
	S16	NENWSW	
	S20	SESWNE	
	S21	SWNWNW	

TWO POINTS OF DIVERSION LOCATED IN T06S, R23E, S26, SWNENW.
TWO POINTS OF DIVERSION LOCATED IN T06S, R23E, S26, SWNESW.
TWO POINTS OF DIVERSION LOCATED IN T06S, R23E, S32, SWSWSE.
TWO POINTS OF DIVERSION LOCATED IN T06S, R23E, S33, NWNWNE.
TWO POINTS OF DIVERSION LOCATED IN T06S, R23E, S33, NESESW.
TWO POINTS OF DIVERSION LOCATED IN T06S, R24E, S31, SWNENE.
TWO POINTS OF DIVERSION LOCATED IN T06S, R24E, S31, SESESW, LOT 7

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

POINT OF DIVERSION (continued)

TWO POINTS OF DIVERSION LOCATED IN T06S, R24E, S32, SESENE.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.09 CFS 28.00 AFY
PLACE OF USE:	Irrigation		Within Minidoka County
	T06S R23E S26	NENW 33.0	NWNW 33.0
		SWNW 33.0	SENW 33.0
		NESW 33.0	NWSW 33.0
		SWSW 33.0	SESW 33.0
	S32	NESW 30.5	NWSW 30.5
		SWSW 30.5	SESW 30.5
		NESE 30.5	NWSE 30.5
		SWSE 30.5	SESE 30.5
	S33	NENE 32.5	NWNE 32.5
		SWNE 32.5	SENE 32.5
		NENW 32.5	NWNW 32.5
		SWNW 32.5	SENW 32.5
		NESW 32.5	NWSW 32.5
		SWSW 32.5	SESW 32.5
		NESE 32.5	NWSE 32.5
		SWSE 32.5	SESE 32.5
	S36	SESW 7.0	SWSE 20.0
		SESE 9.0	
	R24E S28	NWSW 33.0	SWSW 38.0
		SESW 39.0	
	S29	SESE 35.0	
	S30	SWSE 15.0	SESE 30.0
	S31	NENE 39.0	NWNE 40.0
		SWNE 35.0	SENE 29.0
	LOT 1	(NENW) 8.0	LOT 5 (SWNW) 29.0
	LOT 6	(SENW) 15.0	LOT 7 (NESW) 38.0
	LOT 8	(NWSW) 55.0	LOT 10 (SWSW) 49.0
	LOT 12	(SESW) 34.0	NESE 37.0
		NWSE 40.0	SWSE 37.0
		SESE 29.0	
	S32	NENE 33.0	NWNE 33.0
		SWNE 39.0	SENE 38.0
		NENW 33.0	NWNW 33.0
		SWNW 38.0	SENW 39.0
		NESW 39.0	NWSW 38.0
		SWSW 33.0	SESW 33.0
		NESE 38.0	NWSE 39.0
		SWSE 33.0	SESE 33.0
	S33	NENW 39.0	NWNW 38.0
		SWNW 39.0	SENW 39.0
		NESW 39.0	NWSW 38.0
		SWSW 20.0	SESW 33.0
	T07S R23E S01 LOT 1	(NENE) 18.0	LOT 2 (NWNE) 18.0
		SWNE 39.0	SENE 39.0
	LOT 3	(NENW) 18.0	LOT 4 (NWNW) 18.0
		SWNW 39.0	SENW 39.0
		NESW 36.0	NWSW 36.0
		SWSW 33.0	SESW 33.0
		NESE 36.0	SWSE 36.0
		SWSE 33.0	SESE 33.0
	S02 LOT 1	(NENE) 18.0	LOT 2 (NWNE) 18.0
		SWNE 37.0	SENE 37.0
	LOT 3	(NENW) 18.0	LOT 4 (NWNW) 18.0
		SWNW 37.0	SENW 37.0
		NESW 27.0	NWSW 27.0

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

	SWSW 39.0		SESW 39.0
	NESE 31.0		NWSE 22.0
	SWSE 21.0		SESE 36.0
S03 LOT 1	(NENE) 18.0	LOT 2	(NWNE) 18.0
	SWNE 37.0		SENE 37.0
LOT 3	(NENW) 18.0	LOT 4	(NWNW) 18.0
	SWNW 37.0		SENW 37.0
	NESW 10.0		NWSW 10.0
	NESE 27.0		NWSE 27.0
	SWSE 39.0		SESE 39.0
S10	NENE 9.0		NWNE 9.0
S11	NENE 32.5		NWNE 32.5
	SWNE 32.5		SENE 32.5
	NENW 9.0		NWNW 9.0
	NESW 32.5		NWSW 32.5
	SWSW 32.5		SESW 32.5
	NESE 32.5		NWSE 32.5
	SWSE 32.5		SESE 32.5
S12	NENE 33.0		NWNE 33.0
	SWNE 33.0		SENE 33.0
	NENW 33.0		NWNW 33.0
	SWNW 33.0		SENW 33.0
	NESW 33.0		NWSW 33.0
	SWSW 39.0		SESW 39.0
	NESE 33.0		NWSE 33.0
	SWSE 39.0		SESE 33.0
S13	NENE 33.0		NWNE 39.0
	SWNE 33.0		SENE 33.0
	NENW 39.0		NWNW 38.0
	SWNW 33.0		SENW 33.0
	NESW 38.0		NWSW 38.0
	SWSW 33.0		SESW 39.0
	NESE 33.0		NWSE 38.0
	SWSE 38.0		SESE 35.0
S14	NENE 32.5		NWNE 15.0
	SENE 32.5		NESW 35.0
	NWSW 28.0		SWSW 1.0
	SESW 9.0		NESE 36.0
	NWSE 31.0		SWSE 14.0
	SESE 25.0		
S24	NENE 36.0		NWNE 17.0
	SWNE 28.0		SENE 17.0
	NENW 15.0		NWNW 1.0
	SWNW 36.0		SENW 36.0
	NESW 39.0		NWSW 32.0
	SWSW 37.0		SESW 37.0
	NESE 36.0		NWSE 39.0
	SWSE 35.0		SESE 32.0
R24E S02 LOT 1	(NENE) 9.0	LOT 2	(NWNE) 9.0
	SWNE 33.0		SENE 33.0
S04 LOT 1	(NENE) 20.0	LOT 2	(NWNE) 20.0
	SWNE 39.0		SENE 33.0
LOT 3	(NENW) 20.0	LOT 4	(NWNW) 20.0
	SWNW 33.0		SENW 39.0
	NESE 33.0		NWSE 39.0
	SWSE 33.0		SESE 33.0
S06 LOT 1	(NENE) 18.0	LOT 2	(NWNE) 18.0
	SWNE 39.0		SENE 39.0
	NESE 36.0		NWSE 36.0
	SWSE 33.0		SESE 33.0
S07	NENE 33.0		NWNE 33.0
	SWNE 33.0		SENE 33.0
	NENW 33.0		SENW 33.0
S11	NENW 33.0		NWNW 33.0

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

	S16	S16	SWNW 25.0	SENW 39.0
			NESW 39.0	NWSW 33.0
			SWSW 33.0	SESW 33.0
			NENE 33.0	NWNE 33.0
			SWNE 39.0	SENE 33.0
			NENW 33.0	NWNW 33.0
			SWNW 33.0	SENW 39.0
			NESW 39.0	NWSW 32.0
			SWSW 32.0	SESW 33.0
			NESE 33.0	NWSE 39.0
			SWSE 33.0	SESE 33.0
	S20	S20	NENE 33.0	NWNE 38.0
			SWNE 36.0	SENE 33.0
			NENW 38.0	NWNW 33.0
			SWNW 33.0	SENW 38.0
			NESW 29.0	NWSW 8.0
			NESE 39.0	NWSE 39.0
			SWSE 2.0	SESE 5.0
	S21	S21	NENE 33.0	NWNE 38.0
			SWNE 39.0	SENE 33.0
			NENW 38.0	NWNW 33.0
			SWNW 33.0	SENW 39.0

8644.0 Acres Total

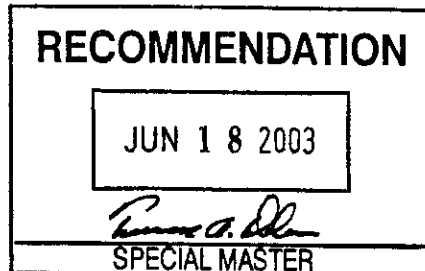
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE USE AND ADMINISTRATION OF THIS WATER RIGHT IS SUBJECT TO THE CONDITIONS OF APPROVAL FOUND IN ADMINISTRATIVE TRANSFER NO. 66087, APPROVED ON MAY 14, 2002, AND FILED IN THE OFFICES OF THE IDAHO DEPARTMENT OF WATER RESOURCES.

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
Presiding Judge of the
Snake River Basin Adjudication

2003 JUN 18 PM 12: 02

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 36-02653C
36-02653D 36-02653N 36-02653P
36-02653Q

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on June 18, 2003, with sufficient first-class postage prepaid to the following:

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

YOUNG & YOUNG

Represented by:
RICHARD K. SMITH
PO BOX 910
BURLEY, ID 83318
Phone: 208-678-8382

YOUNG & YOUNG
YOUNG & YOUNG PARTNERSHIP
230 N 500 E
RUPERT, ID 83350-9772

CERTIFICATE OF MAILING

Robbin Hall
ROBBIN HALL
Deputy Clerk

PAGE 1
06/18/03

2003 JUN 18 PM 12:02

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

Water Right(s): 36-02653C
36-02653D 36-02653N 36-02653P
36-02653Q

On June 18, 2003, Special Master TERRENCE A. DOLAN issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED June 18, 2003.


ROBBIN HALL
Deputy Clerk