

RECEIVED

AUG 29 2003

Department of Water Resources

273 AUG 27 AM 11: 29

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) Subcases 43-00037, 43-00084, 43-00085, 43-
Case No. 39576) 00259, 43-00260, 43-00286A, 43-02061 and 43-
02401
) (Round Mountain Ranch)
)
) PARTIALLY AMENDED SPECIAL
MASTER REPORT

Findings of Fact

On February 27, 1998, the Director of the Idaho Department of Water Resources filed his *Preliminary Director's Report for Water Rights Diverted from Clear Creek, IDWR Basin 43 – Cassia County*. The *Report* listed 20 claims for water diverted from Clear Creek. On May 29, 1998, the Director filed his *Supplemental Preliminary Director's Report for Water Rights Diverted from Clear Creek* adding another 7 claims. Only one of the claims was objected to and that claim (43-10813) has been reported separately by the Special Master.

On June 18, 1999, the Special Master entered a *Draft Special Master's Report and Recommendation* for each of the Clear Creek claims, along with the following *Order Setting Deadline for Objections*:

IT IS ORDERED that all parties to the above subcases shall file with the SRBA Court within thirty (30) days of the date of this *Order* any objections they may have to this *Draft Special Master's Report* for subcase _____. Parties to the above subcases who do not file an objection by that date will be barred from later objecting to the [claimant's name] claim when the Director files his *Director's Report for Irrigation and Other Uses, Reporting Area 7 (Basin 43)*, unless the Director changes his recommendation. In that event, the parties to the above subcases will be allowed to object only to the changes.

None of the parties objected to the *Draft Special Master Reports and Recommendations*.

On September 4, 2002, the Special Master entered an *Order Granting Motion to Withdraw Responses* in subcases 43-00037, 43-00084, 43-00085, 43-00259, 43-00260, 43-00286A and 43-02401. In that *Order*, Harold and Beth Jones were granted leave to withdraw their responses in the 7 subcases because they sold the property involved in the subcases.

A *Special Master Report and Recommendation* was entered on September 5, 2002, in 31 Clear Creek subcases (including 2 split subcases, 2 disallowed subcases and 1 re-numbered subcase). On October 11, 2002, claimant / objector Jeff Sessions filed a *Motion to Alter or Amend Special Master's Recommendation* in 12 of the 31 subcases (43-00037, 43-00045, 43-00084, 43-00085, 43-00259, 43-00260, 43-00286A, 43-00286B, 43-02061 43-02110, 43-02401 and 43-10116). On November 18, 2002, the Special Master entered an *Order Granting Motion to Alter or Amend* intended to cover all 12 subcases, but 43-00037 was inadvertently omitted from the list.¹

On July 15, 2003, claimants Diane and Mark Higley and IDWR filed *Standard Forms 5* in subcases 43-00037, 43-00084, 43-00085, 43-00259, 43-00260, 43-00286A and 43-02401. On July 18, 2003, IDWR filed a *Notice of Completed Administrative Proceeding* in those 7 subcases for a substitution of party from the Higleys to Round Mountain Ranch, HC 72, Box 2346, Malta, Idaho, 83342.

On July 29, 2003, IDWR filed an *NCAP* in subcase 43-02061 for a substitution of party from claimant Shirley Jones to Round Mountain Ranch. On August 8, 2003, Round Mountain Ranch and IDWR filed an *SF-5* in subcase 43-02061.

Conclusions of Law

Round Mountain Ranch is entitled to partial decrees adjudicating water rights as recommended by IDWR and as described in the attached *Special Master Recommendations for Partial Decrees for Water Rights 43-00037, 43-00084, 43-00085, 43-00259, 43-00260, 43-00286A, 43-02061 and 43-02401*.

DATED August 27, 2003.


TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

¹ Subcases 43-00045, 43-00286B, 43-02110 and 43-10116 involve administrative transfer issues currently under review by the Cassia County District Court.

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 43-00037

2003 AUG 27 AM 11:38

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: ROUND MOUNTAIN RANCH
HC 72 BOX 2346
MALTA, ID 83342

SOURCE: CLEAR CREEK TRIBUTARY: SINKS

QUANTITY: 1.40 CFS

PRIORITY DATE: 06/01/1981

POINT OF DIVERSION: T16S R27E S27 SESENE Within Cassia County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.40 CFS

PLACE OF USE:	Irrigation	Within Cassia County
	T15S R27E S34	NESW 20.0 NWSW 10.0 SESW 16.0 NWSE 38.0 SWSE 40.0 SESE 24.0
	T16S R27E S03 LOT 1	(NENE)38.0 LOT 2 (NWNE)27.0 SWNE 40.0 SENE 40.0 NESE 40.0
	333.0 Acres Total	

USE OF THIS RIGHT WITH RIGHT NOS. 43-00084, 43-00085 & 43-00286A
IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 310 ACRES IN
A SINGLE IRRIGATION SEASON.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 145 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

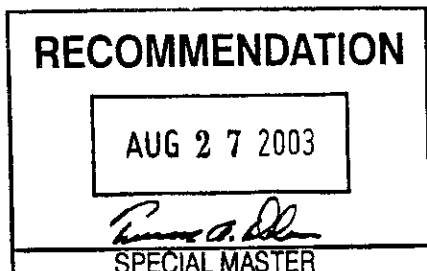
THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER
DISTRICT 43-B.

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.

Partially Amended



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 43-00084

2003 AUG 27 AM 11:38
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: ROUND MOUNTAIN RANCH
HC 72 BOX 2346
MALTA, ID 83342

SOURCE: CLEAR CREEK TRIBUTARY: SINKS

QUANTITY: 1.40 CFS

PRIORITY DATE: 06/14/1911

POINT OF DIVERSION: T16S R27E S27 SESENE Within Cassia County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 04-01 TO 10-31 1.40 CFS

PLACE OF USE: Irrigation Within Cassia County
T15S R27E S34 NESW 20.0 NWSW 10.0
SESW 16.0 NWSE 38.0
SWSE 40.0 SESE 24.0
T16S R27E S03 LOT 1 (NENE) 38.0 LOT 2 (NWNE) 27.0
SWNE 40.0 SENE 40.0
NESE 40.0
S26 NWNW 35.0 SWNW 25.0
S27 NENE 35.0 NWNE 40.0
SWNE 10.0 SENE 20.0
498.0 Acres Total

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NOS. 43-00085 & 43-00286A IS
LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 165 ACRES IN A
SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NOS. 43-00037, 43-00085 &
43-00286A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 310
ACRES IN A SINGLE IRRIGATION SEASON.

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

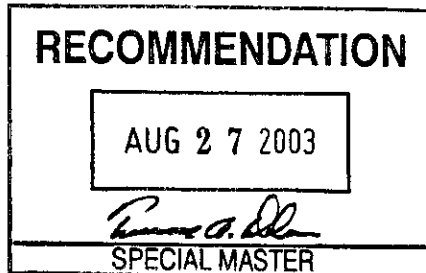
THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT 43-B.

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.

Partially Amended



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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 43-00085

2003 AUG 27 AM 11:38

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: ROUND MOUNTAIN RANCH
HC 72 BOX 2346
MALTA, ID 83342

SOURCE: CLEAR CREEK TRIBUTARY: SINKS

QUANTITY: 1.80 CFS

PRIORITY DATE: 07/14/1912

POINT OF DIVERSION: T16S R27E S27 SESENE Within Cassia County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.80 CFS

PLACE OF USE:	Irrigation	Within Cassia County
	T15S R27E S34	NESW 20.0 NWSW 10.0
		SESW 16.0 NWSE 38.0
		SWSE 40.0 SESE 24.0
	T16S R27E S03 LOT 1	(NENE)38.0 LOT 2 (NWNE)27.0
		SWNE 40.0 SENE 40.0
		NESE 40.0
	S26	NWNW 35.0 SWNW 25.0
	S27	NENE 35.0 NWNE 40.0
		SWNE 10.0 SENE 20.0
	498.0 Acres Total	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NOS. 43-00084 & 43-00286A IS
LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 165 ACRES IN A
SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NOS. 43-00037, 43-00084 &
43-00286A IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 310
ACRES IN A SINGLE IRRIGATION SEASON.

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

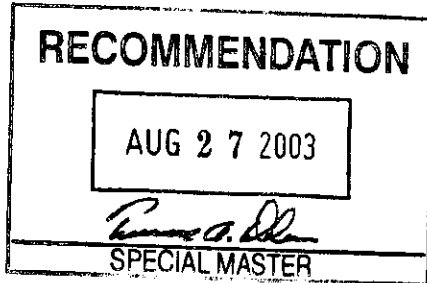
THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT 43-B.

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.

Partially Amended



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 43-00259

2003 AUG 27 AM 11:38
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: ROUND MOUNTAIN RANCH
HC 72 BOX 2346
MALTA, ID 83342

SOURCE: SPRING TRIBUTARY: ROUND MOUNTAIN CREEK

QUANTITY: 1.00 CFS

PRIORITY DATE: 07/24/1911

POINT OF DIVERSION: T16S R27E S02 SWSNW Within Cassia County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	1.00 CFS

PLACE OF USE:	Irrigation	Within Cassia County
T15S R27E S34	NESW 20.0 SESW 16.0 SWSE 40.0	NWSW 10.0 NWSE 38.0 SESE 24.0
T16S R27E S02 LOT 4	(NWNW) 37.0	SWNW 40.0
S03 LOT 1	(NENE) 38.0	LOT 2 (NWNE) 27.0
	SWNE 40.0	SENE 40.0
	370.0 Acres Total	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 43-00260 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 120 ACRES IN A SINGLE
IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 43-02401, 43-00260, 43-00037,
43-00286A, 43-00084, 43-00085 IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 370 ACRES IN A SINGLE IRRIGATION SEASON.

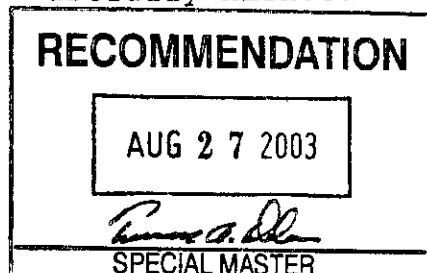
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

Partially Amended



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 43-00260

2003 AUG 27 AM 11:38
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: ROUND MOUNTAIN RANCH
HC 72 BOX 2346
MALTA, ID 83342

SOURCE: SPRING TRIBUTARY: ROUND MOUNTAIN CREEK

QUANTITY: 0.90 CFS

PRIORITY DATE: 11/05/1914

POINT OF DIVERSION: T16S R27E S02 SWSENW Within Cassia County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	0.90 CFS

PLACE OF USE:	Irrigation	Within Cassia County
	T15S R27E S34	NESW 20.0 NWSW 10.0
		SESW 16.0 NWSE 38.0
		SWSE 40.0 SESE 24.0
	T16S R27E S02 LOT 4	(NWNW) 37.0 SWNW 40.0
	S03 LOT 1	(NENE) 38.0 LOT 2 (NWNE) 27.0
		SWNE 40.0 SENE 40.0
	370.0 Acres Total	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NO. 43-00259 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 120 ACRES IN A SINGLE
IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 43-02401, 43-00259, 43-00037,
43-00286A, 43-00084, 43-00085 IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 370 ACRES IN A SINGLE IRRIGATION SEASON.

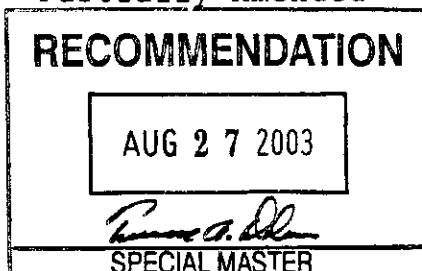
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

Partially Amended



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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 43-00286A

2003 AUG 27 AM 11:38

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: ROUND MOUNTAIN RANCH
HC 72 BOX 2346
MALTA, ID 83342

SOURCE: CLEAR CREEK TRIBUTARY: SINKS

QUANTITY: 3.20 CFS

PRIORITY DATE: 11/23/1911

POINT OF DIVERSION: T16S R27E S27 SESENE Within Cassia County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	3.20 CFS

PLACE OF USE:	Irrigation		Within Cassia County
	T15S R27E S34	NESW 20.0	NWSW 10.0
		SESW 16.0	NWSE 38.0
		SWSE 40.0	SESE 24.0
	T16S R27E S03 LOT 1	(NENE) 38.0	LOT 2 (NWNE) 27.0
		SWNE 40.0	SENE 40.0
		NESE 40.0	
	S26	NWNW 35.0	SWNW 25.0
	S27	NENE 35.0	NWNE 40.0
		SWNE 10.0	SENE 20.0
	498.0 Acres Total		

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 80 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NOS. 43-00084 & 43-00085 IS
LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 165 ACRES IN A
SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NOS. 43-00037, 43-00084, &
43-00085 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 310
ACRES IN A SINGLE IRRIGATION SEASON.

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

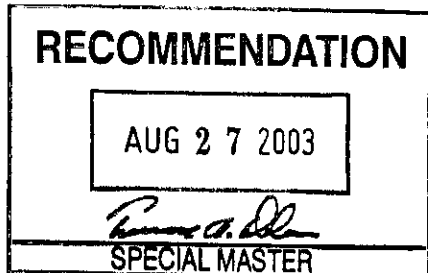
THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT 43-B.

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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Partially Amended



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 43-02061

273 AUG 27 AM 11:38

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: ROUND MOUNTAIN RANCH
HC 72 BOX 2346
MALTA, ID 83342

SOURCE: SPRINGS TRIBUTARY: ROUND MOUNTAIN CREEK

QUANTITY: 0.16 CFS

PRIORITY DATE: 01/19/1910

POINT OF DIVERSION: T16S R27E S13 NESE Within Cassia County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	0.16 CFS

PLACE OF USE:	Irrigation		Within Cassia County
	T16S R27E S13	NENE 4.0	SWNE 7.0
		SENE 15.0	NESW 5.0
		NESE 29.0	NWSE 33.0
		SWSE 40.0	SESE 40.0
	S24	NENE 33.0	NWNE 4.0
	R28E S19 LOT 1	(NWNW)13.0	
	223.0 Acres Total		

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 30 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NO. 43-02110 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 51 ACRES IN A SINGLE
IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NOS. 43-00045, 43-10116,
43-10824 & 43-02110 IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 223 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NOS. 43-00045, 43-10116, 43-10824
43-02110 & 43-00286B IS LIMITED TO THE IRRIGATION OF A COMBINED
TOTAL OF 258 ACRES IN A SINGLE IRRIGATION SEASON.

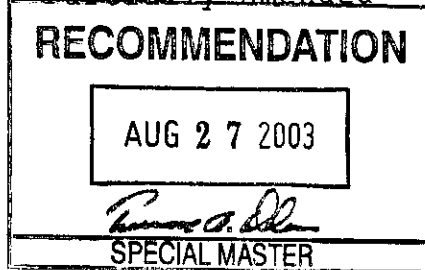
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

Partially Amended



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 43-02401

2003 AUG 27 AM 11:38
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: ROUND MOUNTAIN RANCH
HC 72 BOX 2346
MALTA, ID 83342

SOURCE: GROUNDWATER

QUANTITY: 1.74 CFS
735.00 AFY

PRIORITY DATE: 11/30/1953

POINT OF DIVERSION: T16S R27E S03 SESENE Within Cassia County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	1.74 CFS 735.00 AFY

PLACE OF USE:	Irrigation	Within Cassia County
	T15S R27E S34	NESW 20.0 SESW 16.0 SWSE 40.0
	T16S R27E S02 LOT 4	(NWNW) 37.0
	S03 LOT 1	(NENE) 38.0 SWNE 40.0
		LOT 2 (NWNE) 27.0 SENE 40.0
	370.0 Acres Total	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 195 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NO. 43-00259, 43-00260, 43-00037,
43-00286A, 43-00084, 43-00085 IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 370 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.

Partially Amended

RECOMMENDATION

AUG 27 2003

Roger A. Burdick
SPECIAL MASTER

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

2003 AUG 27 AM 11:38

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

CERTIFICATE OF MAILING

Case No. 39576

Water Right(s): 43-00037

43-00084 43-00085 43-00259

43-00260 43-00286A 43-02061

43-02401

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 August 27, 2003, with sufficient first-class postage prepaid to the following:

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

ROUND MOUNTAIN RANCH

Represented by:

JASON D. WALKER

615 H STREET

PO BOX 396

RUPERT, ID 83350

Phone: 208-882-4536

CERTIFICATE OF MAILING

PAGE 1
08/27/03

HAROLD & BETH JONES

Represented by:

PATRICK D. BROWN

HUTCHINSON & BROWN, LLP

P O BOX 207

TWIN FALLS, ID 83303-0207

Phone: 208-733-9300

JEFF SESSIONS

Represented by:

ROGER D LING

PO BOX 396

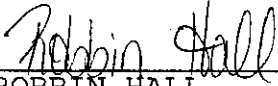
RUPERT, ID 83350

Phone: 208-436-4717

ROUND MOUNTAIN RANCH

HC 72 BOX 2346

MALTA, ID 83342



ROBBIN HALL

Deputy Clerk

2003 AUG 27 AM 11:38

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

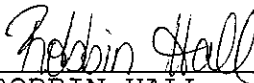
Water Right(s): 43-00037
43-00084 43-00085 43-00259
43-00260 43-00286A 43-02061
43-02401

On August 27, 2003, Special Master HON. ROGER S. BURDICK 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 August 27, 2003.



ROBBIN HALL
Deputy Clerk