

DISTRICT ATTORNEY T-SRBA
 TWIN FALLS CO., IDAHO
 FILED 4c

FOR WATER RIGHTS: 37-12832, 37-12833, 37-20858, 37-20859, 37-20860 AND 37-20861

Claims were filed for water rights 37-12832 and 37-12833 pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources examined the water system for this reporting area. The *Director's Report* contained recommendations for the elements of these water rights.

Objections were filed by Big Sky Dairy in 37-12832 and 37-12833 on October 8, 2002. The *Objections* were resolved with the filing of *Standard Forms 5* which resulted in a recommendation for the parent rights 37-12832 and 37-12833 and additional rights 37-20858, 37-20859, 37-20860 and 37-20861. Additional rights were added because the *Director's Report* for water right nos. 37-12832 and 37-12833 recommended only a portion of what was claimed. The balance of the claims were recommended with a different priority date. The elements of these water rights are within the original claimed quantity. All parties to the subcase and IDWR are signatories to the *Standard Form*.

Based on the file and record herein, IT IS RECOMMENDED that water rights 37-12831 and 37-20862 be **decreed** with the elements set forth in the attached *Special Master's Recommendations for Partial Decrees*.

DATED: March 5, 2003.


BRIGETTE BILYEU, 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 37-12832

2003 MAR -5 PM 3:51

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED 4

NAME AND ADDRESS: BIG SKY DAIRY
1700 E 2428 S
GOODING, ID 83330

SOURCE: GROUND WATER

QUANTITY: 0.04 CFS

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

RIGHT NOS. 37-12832, 37-12833, 37-20858, 37-20859, 37-20860
AND 37-20861 ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF
0.21 CFS.

PRIORITY DATE: 05/31/1919

POINT OF DIVERSION: T05S R15E S16 SWSWSE Within Gooding County
S21 SWNWNE

PURPOSE AND

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

PLACE OF USE:	Stockwater	Within Gooding County
	T05S R15E S16 SWSE	
	Domestic	Within Gooding County
	T05S R15E S21 NWNE	

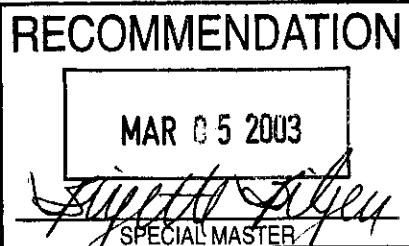
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.



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 37-12833

2003 MAR -5 PM 3:52

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

NAME AND ADDRESS: BIG SKY DAIRY
1700 E 2428 S
GOODING, ID 83330

SOURCE: GROUND WATER

QUANTITY: 0.17 CFS

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

RIGHT NOS. 37-12832, 37-12833, 37-20858, 37-20859, 37-20860
AND 37-20861 ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF
0.21 CFS.

PRIORITY DATE: 01/01/1977

POINT OF DIVERSION: T05S R15E S16 SWSWSE Within Gooding County
S21 SNNWNE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.17 CFS
	Domestic	01-01 TO 12-31	0.08 CFS

PLACE OF USE:	Stockwater		Within Gooding County
	T05S R15E S16	SWSE	
	Domestic		Within Gooding County
	T05S R15E S16	SWSE	
	S21	NWNE	

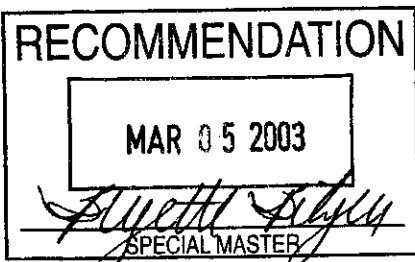
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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).

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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 37-20858

2003 MAR -5 PM 3:52

FILED
TWIN FALLS CO., IDAHO

NAME AND ADDRESS: BIG SKY DAIRY
1700 E 2428 S
GOODING, ID 83330

SOURCE: GROUND WATER

QUANTITY: 0.04 CFS

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

RIGHT NOS 37-12832, 37-12833, 37-20858, 37-20859, 37-20860
AND 37-20861 ARE LIMITED TO A TOTAL COMBINE DIVERSION RATE OF
0.21 CFS.

PRIORITY DATE: 01/01/1971

POINT OF DIVERSION: T05S R15E S16 SWSWSE Within Gooding County
S21 SWNWNE

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

PLACE OF USE: Stockwater Within Gooding County
T05S R15E S16 SWSE

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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RECOMMENDATION

MAR 05 2003

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 37-20859

2003 MAR -5 PM 3:52

FILED
TWIN FALLS CO., IDAHO
FILED *sc*

NAME AND ADDRESS: BIG SKY DAIRY
1700 E 2428 S
GOODING, ID 83330

SOURCE: GROUND WATER

QUANTITY: 0.04 CFS

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

RIGHT NOS. 37-12832, 37-12833, 37-20858, 37-20859, 37-20860
AND 37-20861 ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF
0.21 CFS.

PRIORITY DATE: 01/01/1974

POINT OF DIVERSION: T05S R15E S16 SWSWSE Within Gooding County
S21 SWNWE

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

PLACE OF USE: Stockwater Within Gooding County
T05S R15E S16 SWSE

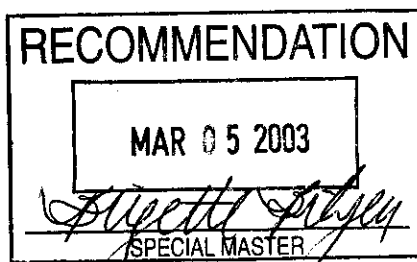
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
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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 37-20860

2003 MAR -5 PM 3:52

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED *J*

NAME AND ADDRESS: BIG SKY DAIRY
1700 E 2428 S
GOODING, ID 83330

SOURCE: GROUND WATER

QUANTITY: 0.04 CFS

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

RIGHT NOS. 37-12832, 37-12833, 37-20858, 37-20859, 37-20860
AND 37-20861 ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF
0.21 CFS.

PRIORITY DATE: 01/01/1975

POINT OF DIVERSION: T05S R15E S16 SWSWSE Within Gooding County
S21 SNNWNE

PURPOSE AND

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

PLACE OF USE: Stockwater Within Gooding County
T05S R15E S16 SWSE

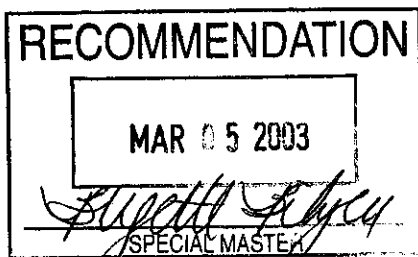
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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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 37-20861

2003 MAR -5 PM 3:52

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED *gf*

NAME AND ADDRESS: BIG SKY DAIRY
1700 E 2428 S
GOODING, ID 83330

SOURCE: GROUND WATER

QUANTITY: 0.17 CFS

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

RIGHT NOS. 37-12832, 37-12833, 37-20858, 37-20859, 37-20860
AND 37-20861 ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF
0.21 CFS.

PRIORITY DATE: 01/01/1982

POINT OF DIVERSION: T05S R15E S16 SWSWSE Within Gooding County
S21 SWNWNE

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.17 CFS

PLACE OF USE: Stockwater Within Gooding County
T05S R15E S16 SWSE

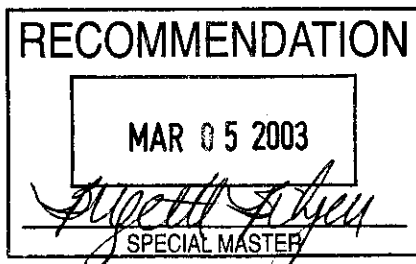
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

1051-1052-GRBA
TWIN FALLS CO., IDAHO

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

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      Water Right(s): 37-12832
37-12833      37-20858      37-20859
37-20860      37-20861

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03/05/03

2003 MAR -5 PM 3: 52

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED *jc*

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): 37-12832
37-12833 37-20858 37-20859
37-20860 37-20861

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 March 05, 2003, with sufficient first-class postage prepaid to the following:

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

STATE OF IDAHO
Represented by:
DAVID J. BARBER
STATEHOUSE RM 210
STATEHOUSE MAIL
BOISE, ID 83720-0010
Phone: 208-334-2400

FAULKNER LAND & LIVESTOCK CO
Represented by:
JOSEPHINE P. BEEMAN
409 WEST JEFFERSON STREET
BOISE, ID 83702
Phone: 208-331-0950

CERTIFICATE OF MAILING

PAGE 1
03/05/03

BIG SKY DAIRY

Represented by:

ROBERT E WILLIAMS

FREDERICKSEN WILLIAMS ET AL

PO BOX 168

JEROME, ID 83338

Phone: 208-324-2303

BIG SKY DAIRY

1700 E 2428 S

GOODING, ID 83330

Phone: 208-934-4757



JANET CONNELL
Deputy Clerk