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JUL 28 2005

Department of Water Resources
Adjudication Bureau

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

2005 JUL 27 PM 3 16

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

) SPECIAL MASTER'S REPORT AND
) RECOMMENDATION; FINDINGS OF
) FACT AND CONCLUSIONS OF LAW
)

) WATER RIGHT NOS.: 29-00168,
) 29-00178, 29-00179 AND 29-13333
)

I. FINDINGS OF FACT

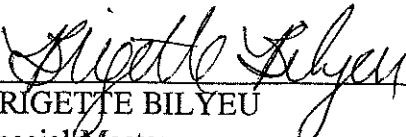
Claims were filed for these water rights pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources examined the water system for this reporting area. The *Director's Report* contained recommendations for the elements of these water rights.

No objections were filed for water rights 29-00168, 29-00178, 29-00179 and 29-13333. However, these water rights were used in combination with water right 29-13334 which was the subject of an *Objection*. The *Objection* was resolved on April 22, 2005 with the filing of the *Portneuf River Settlement Agreement*.

III. CONCLUSIONS OF LAW

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

DATED: July 27, 2005.


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
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 29-00168

FILED

2005 JUL 27 PM 3 16

NAME AND ADDRESS: RONNIE D TILLOTSON
SHERRIL TILLOTSON
PO BOX 261
LAVA HOT SPRINGS, ID 83246

SOURCE: EAST CREEK TRIBUTARY: DEMPSEY CREEK

QUANTITY: 0.54 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.94 CFS. COMBINED RIGHT NOS.:
29-167, 29-168, 29-178, 29-179, 29-13333, 29-13334.

PRIORITY DATE: 05/01/1882

POINT OF DIVERSION: T10S R38E S10 NWNWNE Within Bannock County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 09-15	0.54 CFS

PLACE OF USE:	Irrigation	Within Bannock County
	T09S R38E S33 SWSE 23.0	
	T10S R38E S04 LOT 1 (NENE) 15.0	LOT 2 (NWNE) 4.0
	SWNE 29.0	SENE 32.0
	SWNW 0.9	SENW 18.0
	NESW 28.0	NWSW 1.6
	SWSW 2.8	SESW 6.9
	NESE 2.8	NWSE 20.0
	184.0 Acres Total	

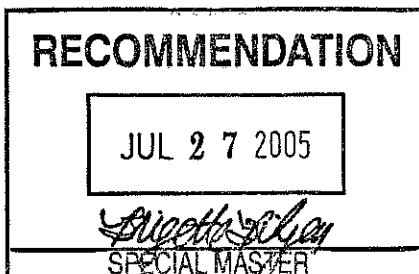
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 27.0 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

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)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 29-00178

2005 JUL 27 PM 3 16

NAME AND ADDRESS: RONNIE D TILLOTSON
SHERRIL TILLOTSON
PO BOX 261
LAVA HOT SPRINGS, ID 83246

SOURCE: EAST CREEK TRIBUTARY: DEMPSEY CREEK

QUANTITY: 1.24 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.94 CFS. COMBINED RIGHT NOS.:
29-167, 29-168, 29-178, 29-179, 29-13333, 29-13334.

PRIORITY DATE: 05/01/1882

POINT OF DIVERSION: T10S R38E S10 NWNWNE Within Bannock County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 09-15	1.24 CFS

PLACE OF USE:	Irrigation	Within Bannock County
	T09S R38E S33 SWSE 23.0	
	T10S R38E S04 LOT 1 (NENE) 15.0	LOT 2 (NWNE) 4.0
	SWNE 29.0	SENE 32.0
	SWNW 0.9	SENW 18.0
	NESW 28.0	NWSW 1.6
	SWSW 2.8	SESW 6.9
	NESE 2.8	NWSE 20.0
	184.0 Acres Total	

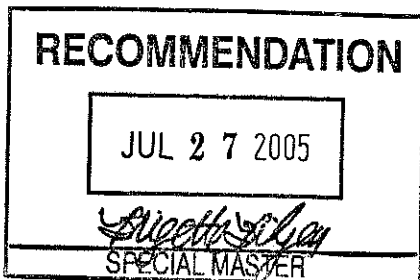
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 62.0 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

In Re SRBA

Case No. 39576

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

Water Right 29-00179

FILED

2005 JUL 27 PM 3 16

NAME AND ADDRESS: RONNIE D TILLOTSON
SHERRIL TILLOTSON
PO BOX 261
LAVA HOT SPRINGS, ID 83246

SOURCE: EAST CREEK TRIBUTARY: DEMPSEY CREEK

QUANTITY: 0.64 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.94 CFS. COMBINED RIGHT NOS.:
29-167, 29-168, 29-178, 29-179, 29-13333, 29-13334.

PRIORITY DATE: 04/15/1893

POINT OF DIVERSION: T10S R38E S10 NWNWNE Within Bannock County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 09-15	0.64 CFS

PLACE OF USE:	Irrigation	Within Bannock County
	T09S R38E S33	SWSE 23.0
	T10S R38E S04 LOT 1	(NENE) 15.0 LOT 2 (NWNE) 4.0
		SWNE 29.0 SENE 32.0
		SWNW 0.9 SENW 18.0
		NESW 28.0 NWSW 1.6
		SWSW 2.8 SESW 6.9
		NESE 2.8 NWSE 20.0
	184.0 Acres Total	

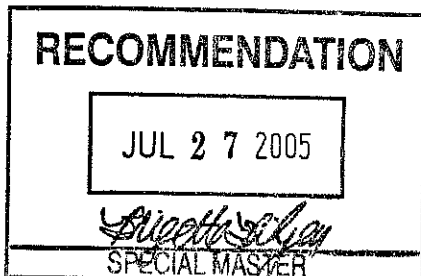
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 32.0 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

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final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
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John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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

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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): 29-00168
29-00178 29-00179 29-13333

On July 27, 2005, Special Master BRIGETTE BILYEU
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 July 27, 2005.



JANET CONNELL
Deputy Clerk

2005 JUL 27 PM 3 16

In Re SRBA)
)
Case No. 39576)
)

Water Right(s): 29-00168
29-00178 29-00179 29-13333

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