

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
AUG - 2 2005	
By _____	Clerk Deputy Clerk

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	)	SPECIAL MASTER'S REPORT AND
	)	RECOMMENDATION; FINDINGS OF
Case No. 39576	)	FACT AND CONCLUSIONS OF LAW
	)	
	)	WATER RIGHT NOS.: 29-13539,
	)	29-13542, 29-13545, 29-13548, AND
	)	29-13551

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 29-13539, 29-13542, 29-13545, 29-13548, and 29-13551. However, these water rights are used in combination with water right 29-13536 which was the subject of an *Objection*. The *Objection* was resolved on April 22, 2005 with the filing of the *Portneuf River Settlement Agreement*. In addition, a quantity remark that was inadvertently omitted from the *Director's Report* was included in the quantity element. See, *Idaho Department of Water Resources Letter* (June 14, 2004)

III. CONCLUSIONS OF LAW

Based on the file and record herein, IT IS RECOMMENDED that this water right be decreed with the elements set forth in the attached *Special Master's Recommendation for Partial Decree*.

DATED: August 2, 2005.



 BRIGETTE BILYEU
 Special Master
 Snake River Basin Adjudication

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

AUG - 2 2005

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 29-13539

By _____ Clerk
Deputy Clerk

NAME AND ADDRESS: NATALIE GUNTER
RUSSELL GUNTER
PO BOX 433
MC CAMMON, ID 83250

SOURCE: WEST BOB SMITH CREEK TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.029 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 0.234 CFS. COMBINED RIGHT NOS.:
29-13536, 29-13539, 29-13542, 29-13545, 29-13548, 29-13551,
29-13554.

THE COMBINED DIVERSION RATE OF WATER RIGHT NOS. 29-10776B,
29-13519, 29-13538, 29-13539, 29-13587, 29-13588, 29-13589,
29-13590, 29-13591, 29-13592, EACH SHARING PRIORITY DATE 7/1/1917
CANNOT EXCEED 0.76 CFS.

THE COMBINED DIVERSION RATE OF WATER RIGHT NOS. 29-207B,
29-214B, 29-215B, 29-10774B, 29-10776B, 29-13511,
29-13513, 29-13515, 29-13517, 29-13519, 29-13538, 29-13539,
29-13541, 29-13542, 29-13544, 29-13545, 29-13547, 29-13548,
29-13550, 29-13551, 29-13553, 29-13554, 29-13587, 29-13588,
29-13589, 29-13590, 29-13591, 29-13592, 29-13593, 29-13594,
29-13595, 29-13596, 29-13597, 29-13598, 29-13599, 29-13600,
29-13601, 29-13602, 29-13603, 29-13604, 29-13605, 29-13606,
29-13607, 29-13608, 29-13609, 29-13610, 29-13611, 29-13612,
29-13613, 29-13614, 29-13615, 29-13616, 29-13617, 29-13618,
29-13619, 29-13620, 29-13621, 29-13622, SHALL NOT EXCEED 3.542
CFS.

PRIORITY DATE: 07/01/1917

POINT OF DIVERSION: T09S R37E S15 SENENW Within Bannock County
SESENW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 09-15	0.029 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 15 UNDER THIS
REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED
EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN
THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: Irrigation Within Bannock County
T09S R37E S14 NWSW 11.7
11.7 Acres Total

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 11.7 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-13536, 29-13539,
29-13542, 29-13545, 29-13548, 29-13551, 29-13554.

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

SRBA PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 29-13539 File Number: 00339

RECOMMENDATION

AUG 02 2005

David J. Scher
SPECIAL MASTER

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

OTHER PROVISIONS (continued)

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
Fifth Judicial District
County of Twin Falls - State of Idaho

AUG - 2 2005

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 29-13542

By _____ Clerk

Deputy Clerk

NAME AND ADDRESS: NATALIE GUNTER
RUSSELL GUNTER
PO BOX 433
MC CAMMON, ID 83250

SOURCE: WEST BOB SMITH CREEK TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.029 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 0.234 CFS. COMBINED RIGHT NOS.:
29-13536, 29-13539, 29-13542, 29-13545, 29-13548, 29-13551,
29-13554.

THE COMBINED DIVERSION RATE OF WATER RIGHT NOS. 29-10774B,
29-13517, 29-13541, 29-13542, 29-13593, 29-13594, 29-13595,
29-13596, 29-13597, AND 29-13598 EACH SHARING PRIORITY DATE
7/1/1909, CANNOT EXCEED 0.942 CFS.

THE COMBINED DIVERSION RATE OF WATER RIGHT NOS. 29-10776B,
29-13519, 29-13538, 29-13539, 29-13587, 29-13588, 29-13589,
29-13590, 29-13591, 29-13592, EACH SHARING PRIORITY DATE 7/1/1917
CANNOT EXCEED 0.76 CFS.

THE COMBINED DIVERSION RATE OF WATER RIGHT NOS. 29-207B,
29-214B, 29-215B, 29-10774B, 29-10776B, 29-13511,
29-13513, 29-13515, 29-13517, 29-13519, 29-13538, 29-13539,
29-13541, 29-13542, 29-13544, 29-13545, 29-13547, 29-13548,
29-13550, 29-13551, 29-13553, 29-13554, 29-13587, 29-13588,
29-13589, 29-13590, 29-13591, 29-13592, 29-13593, 29-13594,
29-13595, 29-13596, 29-13597, 29-13598, 29-13599, 29-13600,
29-13601, 29-13602, 29-13603, 29-13604, 29-13605, 29-13606,
29-13607, 29-13608, 29-13609, 29-13610, 29-13611, 29-13612,
29-13613, 29-13614, 29-13615, 29-13616, 29-13617, 29-13618,
29-13619, 29-13620, 29-13621, 29-13622, SHALL NOT EXCEED 3.542
CFS.

PRIORITY DATE: 07/01/1909

POINT OF DIVERSION: T09S R37E S15 SENENW Within Bannock County
SESENW

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 04-15 TO 09-15 0.029 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 15 UNDER THIS
REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED
EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN
THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: Irrigation Within Bannock County
T09S R37E S14 NSW 11.7
11.7 Acres Total

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 11.7 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-13536, 29-13539,

SRBA PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 29-13542 File Number: 00339

RECOMMENDATION

AUG 0 2 2005

Dianna L. L...
SPECIAL MASTER

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

PLACE OF USE (continued)

29-13542, 29-13545, 29-13548, 29-13551, 29-13554.

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
Fifth Judicial District
County of Twin Falls - State of Idaho

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

AUG - 2 2005

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 29-13545

By _____ Clerk
Deputy Clerk

NAME AND ADDRESS: NATALIE GUNTER
RUSSELL GUNTER
PO BOX 433
MC CAMMON, ID 83250

SOURCE: WEST BOB SMITH CREEK TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.026 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 0.234 CFS. COMBINED RIGHT NOS.:
29-13536, 29-13539, 29-13542, 29-13545, 29-13548, 29-13551,
29-13554.

THE COMBINED DIVERSION RATE OF WATER RIGHT NOS. 29-215B,
29-13515, 29-13544, 29-13545, 29-13599, 29-13600, 29-13601,
29-13602, 29-13603, 29-13604, EACH SHARING PRIORITY DATE
5/1/1903, CANNOT EXCEED 0.68 CFS.

THE COMBINED DIVERSION RATE OF WATER RIGHT NOS. 29-10774B,
29-13517, 29-13541, 29-13542, 29-13593, 29-13594, 29-13595,
29-13596, 29-13597, AND 29-13598 EACH SHARING PRIORITY DATE
7/1/1909, CANNOT EXCEED 0.942 CFS.

THE COMBINED DIVERSION RATE OF WATER RIGHT NOS. 29-10776B,
29-13519, 29-13538, 29-13539, 29-13587, 29-13588, 29-13589,
29-13590, 29-13591, 29-13592, EACH SHARING PRIORITY DATE 7/1/1917
CANNOT EXCEED 0.76 CFS.

THE COMBINED DIVERSION RATE OF WATER RIGHT NOS. 29-207B,
29-214B, 29-215B, 29-10774B, 29-10776B, 29-13511,
29-13513, 29-13515, 29-13517, 29-13519, 29-13538, 29-13539,
29-13541, 29-13542, 29-13544, 29-13545, 29-13547, 29-13548,
29-13550, 29-13551, 29-13553, 29-13554, 29-13587, 29-13588,
29-13589, 29-13590, 29-13591, 29-13592, 29-13593, 29-13594,
29-13595, 29-13596, 29-13597, 29-13598, 29-13599, 29-13600,
29-13601, 29-13602, 29-13603, 29-13604, 29-13605, 29-13606,
29-13607, 29-13608, 29-13609, 29-13610, 29-13611, 29-13612,
29-13613, 29-13614, 29-13615, 29-13616, 29-13617, 29-13618,
29-13619, 29-13620, 29-13621, 29-13622, SHALL NOT EXCEED 3.542
CFS.

PRIORITY DATE: 05/01/1903

POINT OF DIVERSION: T09S R37E S15 SENENW Within Bannock County
SESENW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 09-15	0.026 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 15 UNDER THIS
REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED
EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN
THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: Irrigation
T09S R37E S14 NSW 11.7
11.7 Acres Total

Within Bannock County

RECOMMENDATION

AUG 02 2005

SRBA PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 29-13545 File Number: 00339

SPECIAL MASTER

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

PLACE OF USE (continued)

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 11.7 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-13536, 29-13539,
29-13542, 29-13545, 29-13548, 29-13551, 29-13554.

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
Fifth Judicial District
County of Twin Falls - State of Idaho

AUG - 2 2005

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 29-13548

By _____ Clerk
Deputy Clerk

NAME AND ADDRESS: NATALIE GUNTER
RUSSELL GUNTER
PO BOX 433
MC CAMMON, ID 83250

SOURCE: WEST BOB SMITH CREEK TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.022 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 0.234 CFS. COMBINED RIGHT NOS.:
29-13536, 29-13539, 29-13542, 29-13545, 29-13548, 29-13551,
29-13554.

THE COMBINED DIVERSION RATE OF WATER RIGHT NOS. 29-214B,
29-13513, 29-13547, 29-13548, 29-13605, 29-13606, 29-13607,
29-13608, 29-13609, 29-13610, EACH SHARING PRIORITY DATE 7/1/1902
CANNOT EXCEED 0.60 CFS.

THE COMBINED DIVERSION RATE OF WATER RIGHT NOS. 29-215B,
29-13515, 29-13544, 29-13545, 29-13599, 29-13600, 29-13601,
29-13602, 29-13603, 29-13604, EACH SHARING PRIORITY DATE
5/1/1903, CANNOT EXCEED 0.68 CFS.

THE COMBINED DIVERSION RATE OF WATER RIGHT NOS. 29-10774B,
29-13517, 29-13541, 29-13542, 29-13593, 29-13594, 29-13595,
29-13596, 29-13597, AND 29-13598 EACH SHARING PRIORITY DATE
7/1/1909, CANNOT EXCEED 0.942 CFS.

THE COMBINED DIVERSION RATE OF WATER RIGHT NOS. 29-10776B,
29-13519, 29-13538, 29-13539, 29-13587, 29-13588, 29-13589,
29-13590, 29-13591, 29-13592, EACH SHARING PRIORITY DATE 7/1/1917
CANNOT EXCEED 0.76 CFS.

THE COMBINED DIVERSION RATE OF WATER RIGHT NOS. 29-207B,
29-214B, 29-215B, 29-10774B, 29-10776B, 29-13511,
29-13513, 29-13515, 29-13517, 29-13519, 29-13538, 29-13539,
29-13541, 29-13542, 29-13544, 29-13545, 29-13547, 29-13548,
29-13550, 29-13551, 29-13553, 29-13554, 29-13587, 29-13588,
29-13589, 29-13590, 29-13591, 29-13592, 29-13593, 29-13594,
29-13595, 29-13596, 29-13597, 29-13598, 29-13599, 29-13600,
29-13601, 29-13602, 29-13603, 29-13604, 29-13605, 29-13606,
29-13607, 29-13608, 29-13609, 29-13610, 29-13611, 29-13612,
29-13613, 29-13614, 29-13615, 29-13616, 29-13617, 29-13618,
29-13619, 29-13620, 29-13621, 29-13622, SHALL NOT EXCEED 3.542
CFS.

PRIORITY DATE: 07/01/1902

POINT OF DIVERSION: T09S R37E S15 SENENW Within Bannock County
SESENW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 09-15	0.022 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 15 UNDER THIS
REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED
EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN
THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

RECOMMENDATION

AUG 02 2005

[Signature]
SPECIAL MASTER

PLACE OF USE: Irrigation Within Bannock County
 T09S R37E S14 NWSW 11.7
 11.7 Acres Total

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 11.7 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-13536, 29-13539,
29-13542, 29-13545, 29-13548, 29-13551, 29-13551.

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

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

AUG - 2 2005

By _____ Clerk
Deputy Clerk

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 29-13551

NAME AND ADDRESS: NATALIE GUNTER
RUSSELL GUNTER
PO BOX 433
MC CAMMON, ID 83250

SOURCE: WEST BOB SMITH CREEK TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.021 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 0.234 CFS. COMBINED RIGHT NOS.:
29-13536, 29-13539, 29-13542, 29-13545, 29-13548, 29-13551,
29-13554.

THE COMBINED DIVERSION RATE OF WATER RIGHT NOS. 29-207B,
29-13511, 29-13550, 29-13551, 29-13611, 29-13612, 29-13613,
29-13614, 29-13615 AND 29-13616, EACH SHARING PRIORITY DATE
6/20/1902, CANNOT EXCEED 0.56 CFS.

THE COMBINED DIVERSION RATE OF WATER RIGHT NOS. 29-214B,
29-13513, 29-13547, 29-13548, 29-13605, 29-13606, 29-13607,
29-13608, 29-13609, 29-13610, EACH SHARING PRIORITY DATE 7/1/1902
CANNOT EXCEED 0.60 CFS.

THE COMBINED DIVERSION RATE OF WATER RIGHT NOS. 29-215B,
29-13515, 29-13544, 29-13545, 29-13599, 29-13600, 29-13601,
29-13602, 29-13603, 29-13604, EACH SHARING PRIORITY DATE
5/1/1903, CANNOT EXCEED 0.68 CFS.

THE COMBINED DIVERSION RATE OF WATER RIGHT NOS. 29-10774B,
29-13517, 29-13541, 29-13542, 29-13593, 29-13594, 29-13595,
29-13596, 29-13597, AND 29-13598 EACH SHARING PRIORITY DATE
7/1/1909, CANNOT EXCEED 0.942 CFS.

THE COMBINED DIVERSION RATE OF WATER RIGHT NOS. 29-10776B,
29-13519, 29-13538, 29-13539, 29-13587, 29-13588, 29-13589,
29-13590, 29-13591, 29-13592, EACH SHARING PRIORITY DATE 7/1/1917
CANNOT EXCEED 0.76 CFS.

THE COMBINED DIVERSION RATE OF WATER RIGHT NOS. 29-207B,
29-214B, 29-215B, 29-10774B, 29-10776B, 29-13511,
29-13513, 29-13515, 29-13517, 29-13519, 29-13538, 29-13539,
29-13541, 29-13542, 29-13544, 29-13545, 29-13547, 29-13548,
29-13550, 29-13551, 29-13553, 29-13554, 29-13587, 29-13588,
29-13589, 29-13590, 29-13591, 29-13592, 29-13593, 29-13594,
29-13595, 29-13596, 29-13597, 29-13598, 29-13599, 29-13600,
29-13601, 29-13602, 29-13603, 29-13604, 29-13605, 29-13606,
29-13607, 29-13608, 29-13609, 29-13610, 29-13611, 29-13612,
29-13613, 29-13614, 29-13615, 29-13616, 29-13617, 29-13618,
29-13619, 29-13620, 29-13621, 29-13622, SHALL NOT EXCEED 3.542
CFS.

PRIORITY DATE: 06/20/1902

POINT OF DIVERSION: T09S R37E S15 SENENW Within Bannock County
SESENW

PURPOSE AND			
PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 09-15	0.021 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 15 UNDER THIS

RECOMMENDATION

AUG 02 2005

[Signature]
SPECIAL MASTER 1

Mar-22-2005

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

PURPOSE AND PERIOD OF USE (continued)

REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED
EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN
THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: Irrigation Within Bannock County
 T09S R17E S14 NWSW 11.7
 11.7 Acres Total

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 11.7 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-13536, 29-13539,
29-13542, 29-13545, 29-13548, 29-13551, 29-13554.

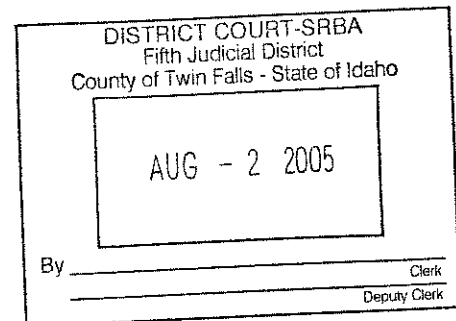
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

In Re SRBA)
Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

Water Right(s): 29-13539
29-13542 29-13545 29-13548
29-13551

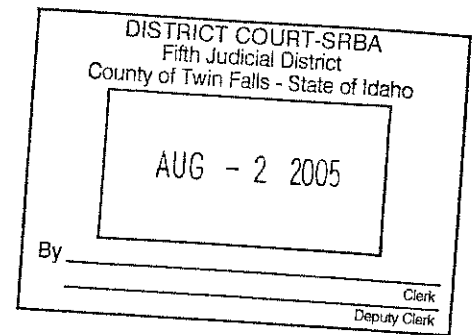
On August 02, 2005, Special Master BRIGETTE BILYEU issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

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 August 02, 2005.


JANET CONNELL
Deputy Clerk



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): 29-13539
29-13542 29-13545 29-13548
29-13551

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 02, 2005, with sufficient first-class postage prepaid to the following:

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

NATALIE GUNTER
RUSSELL GUNTER
Represented by:
JERRY R. RIGBY
PO BOX 250
REXBURG, ID 83440-0250
Phone: 208-356-3633


JANET CONNELL
Deputy Clerk

