

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

2007 JAN 25 AM 11 49

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
	)	
	)	FOR WATER RIGHT: 25-00055B
	)	

I. FINDINGS OF FACT

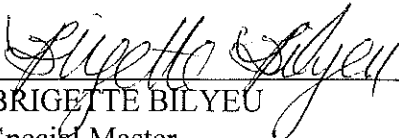
A notice of claim was filed for this water right pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources examined the water system for this reporting area. The *Director's Report* contained a recommendation for the elements of this water right.

An *Objection* was filed by Thomas F. Loertscher. A Status Conference was held on July 12, 2006. At the hearing, Mr. Loertscher moved to withdraw his *Objection*. The *Motion* was **granted**. The *Objection* was dismissed with prejudice. There are no remaining objections.

II. CONCLUSIONS OF LAW

Therefore, 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: January 25, 2007.



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

FILED

2007 JAN 25 AM 11 49

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 25-00055B

NAME AND ADDRESS: HI WILLOW RANCH CORP
C/O TOM LOERTSCHER
1357 BONE RD
IONA, ID 83427

SOURCE: WILLOW CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.80 CFS

PRIORITY DATE: 04/01/1874

POINT OF DIVERSION: T01S R40E S09 LOT 1 (GENENE) Within Bonneville County
S16 SWNE
SENWNE

Right 25-00227 is also diverted through the point(s) of diversion described above.

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	04-15 TO 10-31	0.80 CFS
Stockwater	04-15 TO 10-31	0.02 CFS

Stockwater use is for 300 range cattle.

PLACE OF USE:

Irrigation	Within Bonneville County
T01S R40E S03	NWSW 0.4 SWSW 12.0
S04	SWSE 0.8 LOT 6 (SESE) 1.5
S09 LOT 1	(NENE) 22.0 NWNE 20.0
	SWNE 13.0 LOT 2 (SENE) 26.0
LOT 3	(NESE) 17.0 NWSE 0.8
	SWSE 0.5 LOT 4 (SESE) 8.5
S10	NWNW 17.0 SWNW 23.0
	NWSW 21.0 SWSW 16.0
199.5 Acres Total	

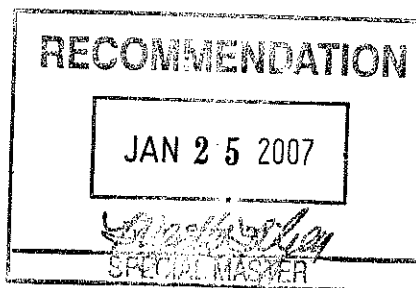
Stockwater Within Bonneville County
Same as Irrigation

USE OF THIS RIGHT WITH RIGHT NO. 25-00227 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 200 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 40 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).



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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

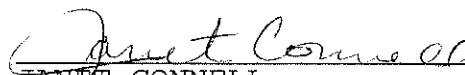
Water Right(s): 25-00055B

On January 25, 2007, 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 January 25, 2007.


JANET CONNELL
Deputy Clerk

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TWIN FALLS CO., IDAHO
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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)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s): 25-00055B

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 January 25, 2007, with sufficient first-class postage prepaid to the following:

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

HI WILLOW RANCH CORP
C/O TOM LOERTSCHER
1357 BONE RD
IONA, ID 83427
Phone: 208-522-3072


JANET CONNELL
Deputy Clerk

CERTIFICATE OF MAILING

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01/25/07