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DEPARTMENT OF
WATER RESOURCES

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

JAN 31 2007

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	)	Subcases 45-294C, 45-294E, 45-311, 45-312B,
	)	45-7322, 45-13505 and 45-13506 (Anderson)
Case No. 39576	)	
	)	ORDER GRANTING MOTION TO
	)	WITHDRAW OBJECTIONS and SPECIAL
	)	MASTER REPORT

FINDINGS OF FACT

DIRECTOR'S REPORT

45-294C – The Director of the Idaho Department of Water Resources filed his *Director's Report for Irrigation and Other, Reporting Area 10, IDWR Basin 45* on September 7, 2004. The above claims were recommended with accomplished changes in points of diversion and places of use. The Director recommended claim 45-294C to Sondra and A.W. Anderson, P.O. Box 158, Albion, Idaho, 83311, for 2.23 cfs (111.5 inches) from Lake Cleveland in Cassia County with a priority date of March 31, 1888, based on a decree for the following uses:

Irrigation	April 1 to October 31	219 a
Irrigation storage	November 1 to March 31	55.7 afy
Irrigation from storage	April 1 to October 31	55.7 afy

45-294E – The Director recommended claim 45-294E to the Andersons for 1.5 cfs (75 inches) from Lake Cleveland with a priority date of March 31, 1888, based on a decree for the following uses:

Irrigation	April 1 to October 31	77 a
Irrigation storage	November 1 to March 31	37.5 afy
Irrigation from storage	April 1 to October 31	37.5 afy

OBJECTIONS

The Andersons filed *Objections* to the Director's recommendations of 45-294C and 45-294E on December 7, 2004, objecting to quantity, period of year and place of use.

WITHDRAWAL OF OBJECTIONS

On November 3, 2006, the Special Master entered an *Order Re: Montgomery Motion in Limine and Attorney Fees and Special Master Report* in subcases 45-294C and 45-294E, plus 45-294D. During those proceedings, the Andersons agreed that, depending on the outcome, they would withdraw their *Objections* in the above subcases. On January 18, 2007, during a telephone status conference, counsel for the Andersons withdrew their *Objections*.

UNCONTESTED OVERLAPPING CLAIMS

IDWR identified claims 45-311, 45-312B, 45-7322, 45-13505 and 45-13506 as uncontested overlapping claims filed by the Andersons which can now be decreed along with the Andersons' contested claims 45-294C and 45-294E.

ORDER

THEREFORE, IT IS ORDERED that the Andersons' motion to withdraw their *Objections* in subcases 45-294C and 45-294E is **granted**.

CONCLUSIONS OF LAW

A.W and Sondra Anderson are entitled to partial decrees adjudicating water rights 45-294C, 45-294E, 45-311, 45-312B, 45-7322, 45-13505 and 45-13506 as recommended by IDWR and as described in the attached *Special Master Recommendations for Partial Decrees for Water Rights 45-294C, 45-294E, 45-311, 45-312B, 45-7322, 45-13505 and 45-13506*.

DATED January 31, 2007.



TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

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

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JAN 31 2007	
By _____	Clerk
_____ Deputy Clerk	

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 45-00294C

NAME AND ADDRESS: A W ANDERSON
SONDRA J ANDERSON
PO BOX 158
ALBION, ID 83311

SOURCE: LAKE CLEVELAND TRIBUTARY: MARSH CREEK

QUANTITY: 2.23 CFS
55.70 AFY

PRIORITY DATE: 03/31/1888

POINT OF DIVERSION:	T12S R24E S12	NWNESW (Rediversion)	Within Cassia County
		NWSWSW (Rediversion)	
	S14	NENENE (Rediversion)	
		NWSWNE (Rediversion)	
		NENESW (Rediversion)	
	S27	NWNENW (Injection)	
	T13S R24E S03	NWSWNW	

PURPOSE AND			
PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	2.23 CFS
	Irrigation Storage	11-01 TO 03-31	55.70 AFY
	Irrigation from Storage	04-01 TO 10-31	55.70 AFY

The use of water for irrigation under this right may begin as early as March 15 provided other elements of the right are not exceeded. The use of water before April 1 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE:	Irrigation	Within Cassia County
	T12S R24E S12	SWNE 36.0 SWNW 33.0
		NESW 36.0 NWSW 34.0
		SWSW 40.0 NWSE 40.0
	219.0 Acres Total	

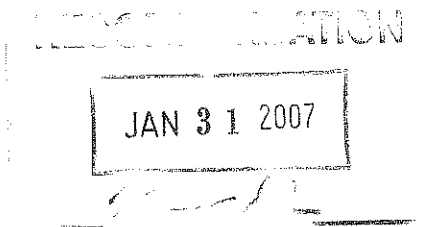
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 219 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS. 45-311, 45-312B and 45-294C.

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	
JAN 31 2007	
By _____	_____
_____	_____

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 45-00294E

NAME AND ADDRESS: A W ANDERSON
SONDRA J ANDERSON
PO BOX 158
ALBION, ID 83311

SOURCE: LAKE CLEVELAND TRIBUTARY: MARSH CREEK

QUANTITY: 1.50 CFS
37.50 AFY

WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE THAN
.02 CFS PER ACRE.COMBINED RIGHT NOS. 45-294E, 45-7322,
45-13505, and 45-13506.

PRIORITY DATE: 03/31/1888

POINT OF DIVERSION: T12S R24E S12 NWNESE (Rediversion) Within Cassia County
S27 NWSWSW (Rediversion)
T13S R24E S03 NWNENW (Injection)
NWSWNW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.50 CFS
	Irrigation Storage	11-01 TO 03-31	37.50 AFY
	Irrigation from Storage	04-01 TO 10-31	37.50 AFY

The use of water for irrigation under this right may begin as
early as March 15 provided other elements of the right are not
exceeded. The use of water before April 1 under this remark is
subordinate to all water rights having no subordinated early
irrigation use and a priority date earlier than the date a
partial decree is entered for this right.

PLACE OF USE: Irrigation Within Cassia County
T12S R24E S12 NENE 38.0 SENE 39.0
77.0 Acres Total

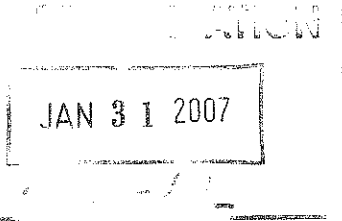
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 77 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS. 45-294E, 45-7322, 45-13505, and 45-13506.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 72 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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
Fifth Judicial District
County of Twin Falls - State of Idaho

JAN 31 2007

By _____

Deputy Clerk

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 45-00311

NAME AND ADDRESS: A W ANDERSON
SONDRA J ANDERSON
PO BOX 158
ALBION, ID 83311

SOURCE: MARSH CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 3.20 CFS

WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE THAN
.02 CFS PER ACRE. COMBINED RIGHT NOS. 45-311 and 45-312B.

PRIORITY DATE: 04/01/1876

POINT OF DIVERSION: T12S R24E S12 NWNESE Within Cassia County
NWSWSW
S14 NWNENE
NWSWNE
NENESW

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

The use of water for irrigation under this right may begin as early as March 15 provided other elements of the right are not exceeded. The use of water before April 1 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE:	Irrigation	Within Cassia County
	T12S R24E S12	SWNE 36.0 SWNW 33.0
		NESW 36.0 NWSW 34.0
		SWSW 40.0 NWSE 40.0
	219.0 Acres Total	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 143 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 219 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 45-311, 45-312B and 45-294C.

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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JAN 31 2007

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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

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

JAN 31 2007

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 45-00312B

By _____ Clerk

Deputy Clerk

NAME AND ADDRESS: A W ANDERSON
SONDRA J ANDERSON
PO BOX 158
ALBION, ID 83311

SOURCE: MARSH CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 1.60 CFS

WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE THAN
.02 CFS PER ACRE. COMBINED RIGHT NOS. 45-311 and 45-312B.

PRIORITY DATE: 07/01/1876

POINT OF DIVERSION: T12S R24E S12 NWNESE Within Cassia County
NWSWSW
S14 NWNENE
NWSWNE
NENESW

PURPOSE AND	PURPOSE OF USE	PERIOD OF USE	QUANTITY
PERIOD OF USE:	Irrigation	04-01 TO 10-31	1.60 CFS

The use of water for irrigation under this right may begin as early as March 15 provided other elements of the right are not exceeded. The use of water before April 1 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE:	Irrigation	Within Cassia County
	T12S R24E S12	SWNE 36.0 SNNW 33.0
		NESW 36.0 NWSW 34.0
		SWSW 40.0 NWSE 40.0
	219.0 Acres Total	

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 219 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 45-311, 45-312B and 45-294C. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 76 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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JAN 31 2007

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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

DISTRICT COURT-SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
JAN 31 2007	
By _____	Clerk
_____	Deputy Clerk

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
_____) Water Right 45-07322

NAME AND ADDRESS: A W ANDERSON
SONDRA J ANDERSON
PO BOX 158
ALBION, ID 83311

SOURCE: GROUND WATER

QUANTITY: 0.88 CFS
289.30 AFY

WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE THAN
.02 CFS PER ACRE.COMBINED RIGHT NOS. 45-294E, 45-7322,
45-13505, and 45-13506.

PRIORITY DATE: 08/18/1977

POINT OF DIVERSION: T12S R24E S12 SWSENE Within Cassia County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.88 CFS 288.00 AFY
	Stockwater	01-01 TO 12-31	0.02 CFS 1.30 AFY

PLACE OF USE: Irrigation Within Cassia County
T12S R24E S12 NENE 38.0 SENE 39.0
77.0 Acres Total

Stockwater Within Cassia County
Same as Irrigation

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 77 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS. 45-294E, 45-7322, 45-13505, and 45-13506.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 72 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. Section 42-1412(6), Idaho
Code.

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.

JAN 31 2007

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

JAN 31 2007

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 45-13505

By _____

Deputy Clerk

NAME AND ADDRESS: A W ANDERSON
SONDRA J ANDERSON
PO BOX 158
ALBION, ID 83311

SOURCE: MARSH CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.32 CFS

WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE THAN
.02 CFS PER ACRE.COMBINED RIGHT NOS. 45-294E, 45-7322,
45-13505, and 45-13506.

PRIORITY DATE: 08/01/1881

POINT OF DIVERSION: T12S R24E S12 NWNESE Within Cassia County
NWSWSW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.32 CFS

The use of water for irrigation under this right may begin as
early as March 15 provided other elements of the right are not
exceeded. The use of water before April 1 under this remark is
subordinate to all water rights having no subordinated early
irrigation use and a priority date earlier than the date a
partial decree is entered for this right.

PLACE OF USE:	Irrigation	Within Cassia County
	T12S R24E S12 NENE 38.0	SENE 39.0
	77.0 Acres Total	

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 77 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS. 45-294E, 45-7322, 45-13505, and 45-13506.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 16 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. Section 42-1412(6), Idaho
Code.

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.

JAN 31 2007

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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 45-13506

By _____ Clerk

Deputy Clerk

NAME AND ADDRESS: A W ANDERSON
SONDRA J ANDERSON
PO BOX 158
ALBION, ID 83311

SOURCE: MARSH CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 1.22 CFS

WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE THAN
.02 CFS PER ACRE.COMBINED RIGHT NOS. 45-294E, 45-7322,
45-13505, and 45-13506.

PRIORITY DATE: 08/01/1881

POINT OF DIVERSION: T12S R24E S12 NWNESW Within Cassia County
NWSWSW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.22 CFS

The use of water for irrigation under this right may begin as early as March 15 provided other elements of the right are not exceeded. The use of water before April 1 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE:	Irrigation	Within Cassia County
	T12S R24E S12	NENE 38.0 SENE 39.0
	77.0 Acres Total	

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 77 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 45-294E, 45-7322, 45-13505, and 45-13506. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 61 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. Section 42-1412(6), Idaho Code.

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.

JAN 31 2007

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

JAN 31 2007

By _____

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): 45-00294C
45-00294E 45-00311 45-00312B
45-07322 45-13505 45-13506

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 31, 2007, with sufficient first-class postage prepaid to the following:

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

A W ANDERSON
SONDRA J ANDERSON
Represented by:
RANDOLPH CALVIN STONE
PO BOX 910
BURLEY, ID 83318
Phone: 208-878-8382

A W ANDERSON
SONDRA J ANDERSON
PO BOX 158
ALBION, ID 83311
Phone: 208-673-6222

CERTIFICATE OF MAILING

Robbin Hall
ROBBIN HALL
Deputy Clerk

PAGE 1
01/31/07

JAN 31 2007

By _____

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

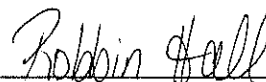
Water Right(s): 45-00294C
45-00294E 45-00311 45-00312B
45-07322 45-13505 45-13506

On January 31, 2007, Special Master TERRENCE A. DOLAN issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (A01), 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 31, 2007.



ROBBIN HALL
Deputy Clerk