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DEPARTMENT OF
WATER RESOURCES

2007 FEB 21 AM 11:00

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) Subcases 45-2529, 45-4191A, 45-4192
Case No. 39576) & 45-4195 (Manning Ranches, Inc.)
)
) SPECIAL MASTER REPORT

Findings of Fact

The Director of the Idaho Department of Water Resources filed his *Director's Report for Irrigation and Other, Reporting Area 10, IDWR Basin 45, Part I* on September 7, 2004. The Director recommended claims 45-2529 and 45-4195 to Manning Ranches, Inc., 2233 Birch Creek Road, Oakley, Idaho, 83346, for 4.46 cfs and 3.08 cfs from groundwater to irrigate 642 acres in Cassia County from April 1 to October 31 and March 15 to November 15 with priority dates of October 22, 1956, and June 30, 1985, based on a license and beneficial use. The Director recommended claim 45-4191A be disallowed: "No lawful appropriation shown." The Director recommended claim 45-4192 be disallowed: "Recommended as right no. 45-4195."

Manning Ranches filed *Objections* on December 27, 2004, objecting to quantity, priority date, place of use and two of the claims not being recommended.

The Special Master entered an *Amended Order Granting Motion to Amend Claim* in multiple subcases, including the above four subcases on November 14, 2005. IDWR filed its *Amended Director's Reports* in those subcases on February 24, 2006, and Manning Ranches filed *Objections* on March 13, 2006, objecting to quantity, priority date and place of use.

On January 31, 2007, Manning Ranches, with IDWR's concurrence, filed *Standard Forms 5* agreeing to changes in quantity, period of use and place of use in subcases 45-2529 and 45-4195; adjudication of subcase 45-4191A for .32 cfs from groundwater to irrigate 16 acres in Cassia County from March 15 to November 15 with a

priority date of July 1, 1959, based on beneficial use; and adjudication of subcase 45-4195 for 2.6 cfs from groundwater to irrigate 715 acres in Cassia County from March 15 to November 15 with a priority date of June 30, 1985, based on beneficial use.

Conclusions of Law

Manning Ranches is entitled to partial decrees adjudicating water rights in subcases 45-2529, 45-4191A, 45-4192 and 45-4195 as described in the *SF-5*'s and the attached *Special Master Recommendations for Partial Decrees for Water Rights 45-2529, 45-4191A, 45-4192 and 45-4195*.

DATED February 21, 2007.



TERRENCE A. DOLAN

Special Master
Snake River Basin Adjudication

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Feb-14-2007

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.

RECOMMENDATION

FEB 21 2007

James A. Allen
SPECIAL MASTER

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

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DISTRICT CLERK-SRBA
TWIN FALLS CO., IDAHO
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PAGE 1
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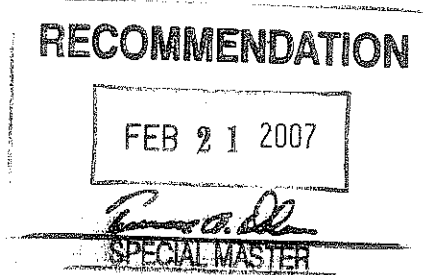
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John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 45-04195

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TWIN FALLS CO., IDAHO
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NAME AND ADDRESS: MANNING RANCHES INC
2233 BIRCH CREEK RD
OAKLEY, ID 83346

SOURCE: GROUND WATER

QUANTITY: 2.60 CFS

THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO
MORE THAN .02 CFS PER ACRE.
THE RIGHTS LISTED BELOW ARE LIMITED TO A TOTAL COMBINED DIVERSION
RATE OF 9.56 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION
VOLUME OF 1912 AF. COMBINED RIGHT NOS.: 45-2529, 45-4192, AND
45-4195.

PRIORITY DATE: 06/30/1985

POINT OF DIVERSION: T14S R22E S03 LOT 1 (NENENE) Within Cassia County
SESENE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	2.60 CFS

PLACE OF USE:	Irrigation		Within Cassia County
	T13S R22E S27	NESE 40.0	SESE 40.0
	S34	NENE 40.0	NWNE 40.0
		SWNE 40.0	SENE 40.0
		NENW 19.0	SWNW 3.0
		SENE 35.0	NESE 40.0
		NWSE 40.0	SWSE 40.0
		SESE 40.0	
	T14S R22E S02	SWNW 11.0	SENE 12.0
		NESW 40.0	NWSW 40.0
		SWSW 33.0	SESW 40.0
	S03 LOT 1	(NENE) 35.0	LOT 2 (NWNE) 5.0
		SENE 31.0	NESE 11.0
	715.0 Acres Total		

THE RIGHTS LISTED BELOW ARE LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 654 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 45-2529, 45-4192, AND 45-4195.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 176 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 RIGHT IS AN EXPANSION OF RIGHT NOS 45-2529 AND 45-4192
PURSUANT TO SECTION 42-1416B, 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.

RECOMMENDATION

FEB 21 2007

[Signature]
SPECIAL MASTER

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

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In Re SRBA)

CERTIFICATE OF MAILING

Case No. 39576)

Water Right(s): 45-02529

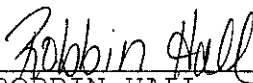
45-04191A 45-04192 45-04195

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 February 21, 2007, with sufficient first-class postage prepaid to the following:

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

MANNING RANCHES INC
Represented by:
RANDOLPH CALVIN STONE
PO BOX 910
BURLEY, ID 83318
Phone: 208-878-8382


ROBBIN HALL
Deputy Clerk

CERTIFICATE OF MAILING

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02/21/07

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ROBBIN HALL
Deputy Clerk