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DEPARTMENT OF
WATER RESOURCES

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

) Subcase: 94-00019

) FOR WATER CLAIM NO. : A47-04177E

) RECOMMENDATION ON INTERIM
) ADMINISTRATION FOR 2007

This is a companion case filed in the Snake River Basin Adjudication, and assigned number 94-00019. The companion case originated with a *Petition for Injunctive Relief* filed in 2001. Since the filing of the *Petition for Injunctive Relief*, the parties have reached an agreement on the Interim Administration of water claim A47-04177E. The agreement has been renewed for each irrigation season. The last agreement covered the 2006 irrigation seasons. See, *Stipulation* (July 14, 2004) and *Recommendation on Interim Administration for 2006* (December 20, 2005).

A hearing was held on March 28, 2007. The Idaho Department of Water Resources reported that the *Director's Report* for basin 47 was filed in December 2006. The objection deadline has been set September 19, 2007. Therefore subcases will likely not be resolved until after the 2007 irrigation season. Consequently, the use of this claim during the 2007 irrigation season needs to be resolved. At the March 28, 2007 hearing, the parties agreed to extend the terms of the *Stipulation* for the 2007 irrigation season.

THEREFORE, based on the oral agreement of the parties, IT IS RECOMMENDED that neither Bruce L. Waldon, nor his successors or assigns shall divert water during the 2007 growing season under the claim for A47-04177E. The agreement does not constitute an admission of any allegations made by Timothy Smalley in his *Petition for Injunctive Relief* or a waiver or relinquishment of Waldon's right or entitlement to the claim A47-04177E, if any.
DATED: March 29, 2007.


BRIGETTE BILYEU, Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the RECOMMENDATION ON INTERIM ADMINISTRATION FOR 2007 was mailed on March 29, 2007, with sufficient first-class postage to the following:

TIMOTHY SMALLEY

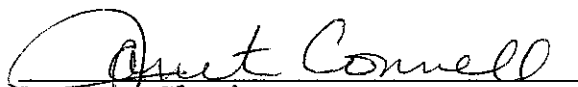
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BRUCE L WALDON

Represented by:
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PETITION FOR INJUNCTIVE RELIEF
F/B TIMOTHY & MELISSA SMALLEY
AGAINST BRUCE L WALDON

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


Deputy Clerk