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DEPARTMENT OF
WATER RESOURCES

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

2007 JUL 11 PM 3 06

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

) SPECIAL MASTER'S REPORT
)
) FINDINGS OF FACT AND
) CONCLUSIONS OF LAW
)
) FOR WATER RIGHTS 63-00329B,
) 63-00330B, 63-00331B, 63-00332,
) and 63-00379
) (Digital Boundary)
)

I. FINDINGS OF FACT

Notices of claim were filed for the above-captioned water rights pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources (IDWR) examined the water system for this reporting area. The *Director's Report* contained a recommendation or abstract for the elements of these water rights.

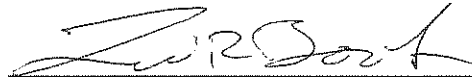
On April 20, 2006, the United States of America, Department of interior, Bureau of Land Management, filed objections to the Director's Reports, asserting that the place of use should not include federal public land. On May 29, 2007, the parties filed a *Standard Form 5 – Stipulated Elements of a Water Right* in each of the subcases, which resolved the objections. The Idaho Department of Water Resources concurred with the stipulations. On July 10, 2007, a hearing was held for the purpose of clarifying the description of the stockwater place of use in subcases 63-00329B and 63-00379.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein and pursuant to the *Standard Forms 5*, IT IS RECOMMENDED that water rights 63-00329B, 63-00330B, 63-00331B, 63-00332, and 63-

00379 be **decreed** with the elements as set forth in the attached *Recommendations for Partial Decrees Pursuant to I.R.C.P. 54(b)*.

Dated July 11, 2007



Theodore R. Booth
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

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

2007 JUL 11 PM 3 06

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 63-00329B

NAME AND ADDRESS: PLEASANT VALLEY IRR CO
C/O TERRY COPPLE ESQ
PO BOX 1583
BOISE, ID 83701

SOURCE: TENMILE CREEK TRIBUTARY: FIFTEENMILE CREEK

QUANTITY: 4.00 CFS

PRIORITY DATE: 04/01/1907

POINT OF DIVERSION: T02N R03E S31 LOT 3 (NWSW) Within Ada County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	4.00 CFS
	Stockwater	01-01 TO 12-31	0.28 CFS

PLACE OF USE: Stockwater Within Ada County
T02N R02E S26 NWSW
S27 NESE
S31 SESW
S36 SWNW NESE

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 1148 ACRES WITHIN THE
BOUNDARY OF THE PLEASANT VALLEY IRRIGATION COMPANY.
The boundary encompassing the irrigation place of use for this
water right is described with a digital boundary as defined
by I.C. Section 42-202B(2) and authorized pursuant to I.C.
Section 42-1411(2)(h). The data comprising the digital boundary
are incorporated herein by reference and are stored on a CD-ROM
disk issued in duplicate originals on file with the SRBA
District Court and the Idaho Department of Water Resources.
A map depicting the place of use is attached hereto to
illustrate the place of use described by the digital boundary.

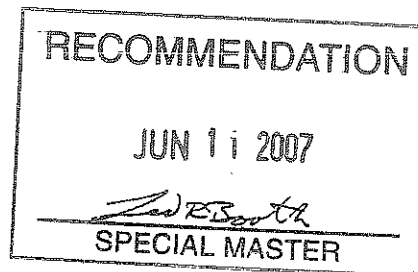
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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



TRIST OF THE COURT - SABA
IN FALLS
FALLS CO., IDAHO
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2007 JUL 11 PM 3 06

PAGE 1
May-29-2007

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

2007 JUL 11 PM 3 06

PAGE 1
May-29-2007

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

FILED

2007 JUL 11 PM 3 06

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 63-00332

NAME AND ADDRESS: PLEASANT VALLEY IRR CO
C/O TERRY COPPLE ESQ
PO BOX 1583
BOISE, ID 83701

SOURCE: TENMILE CREEK TRIBUTARY: FIFTEENMILE CREEK

QUANTITY: 13.00 CFS

PRIORITY DATE: 05/16/1912

POINT OF DIVERSION: T02N R03E S31 LOT 3 (NWSW) Within Ada County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	13.00 CFS
	Stockwater	01-01 TO 12-31	0.28 CFS

PLACE OF USE:

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 1148 ACRES WITHIN THE BOUNDARY OF PLEASANT VALLEY IRRIGATION COMPANY. The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

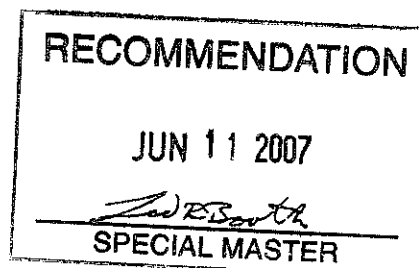
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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



STRICT OF THE COURT - SRBA
TWIN FALLS
TWIN FALLS CO., IDAHO

FILED

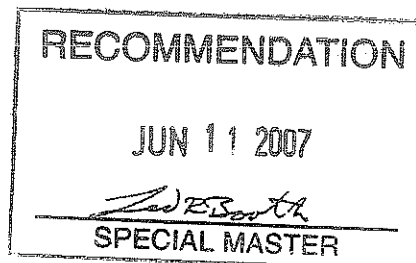
Water Right 63-00379

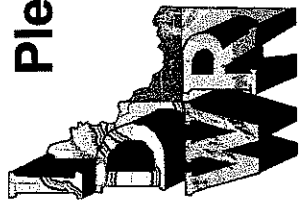
PAGE 1
Jul-10-2007

RULE 54(b) CERTIFICATE

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





Pleasant Valley Irr Co

SRBA Recommendations: 63-329B, 63-330B, 63-331B, 63-332, 63-379

Service Area Boundary
GIS Place of Use Illustration

Legend

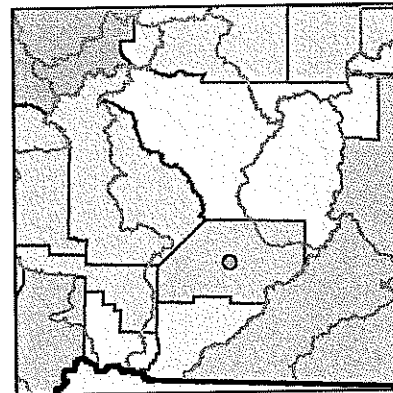
Service Area



Townships

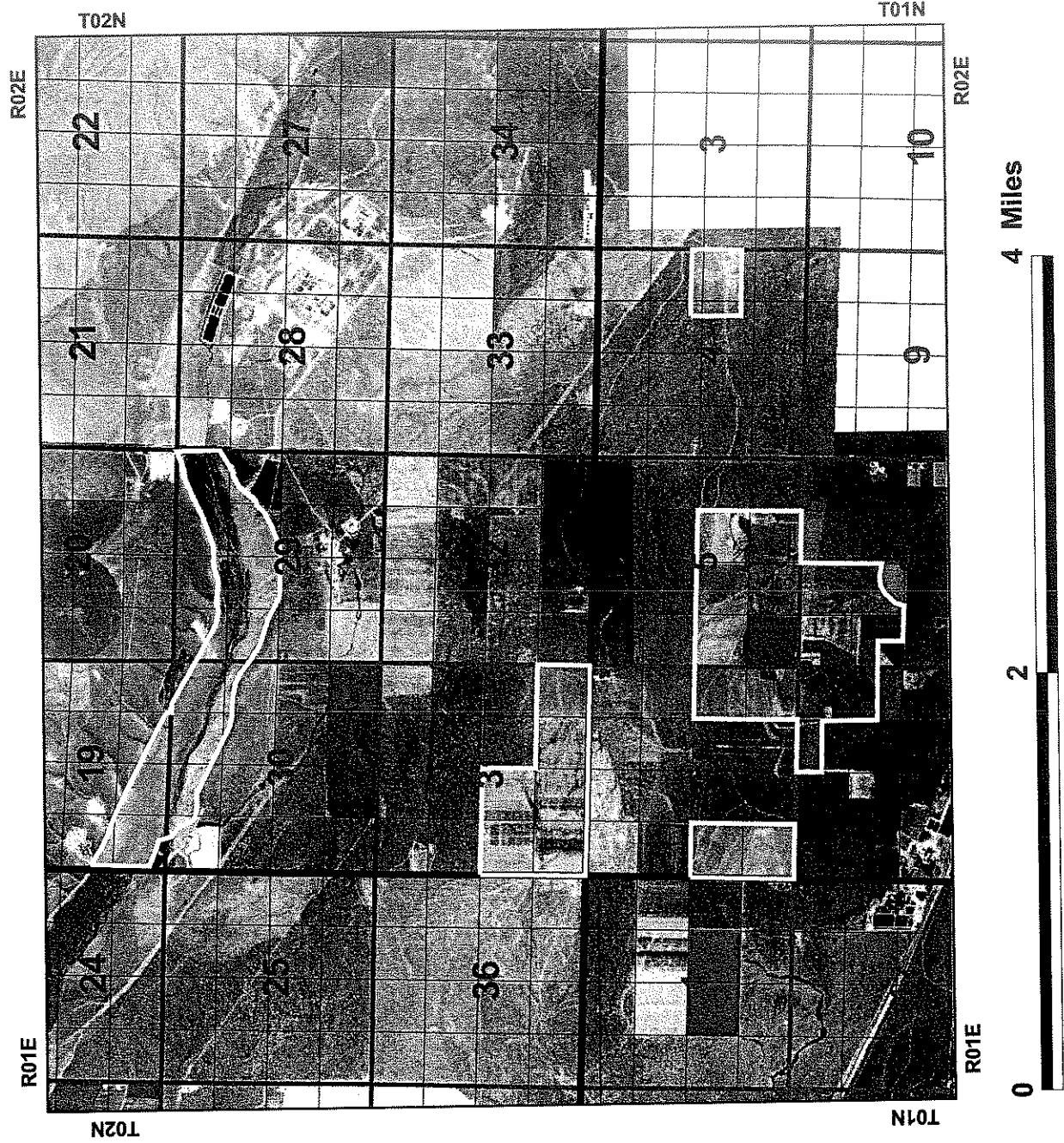
PLS Sections

Quarter Quarters



Ada County
IDWR Basin 63

Prepared by D. Favreau
On Monday, March 12, 2007
1987/88 Aerial Photography



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

2007 JUL 11 PM 3 06

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

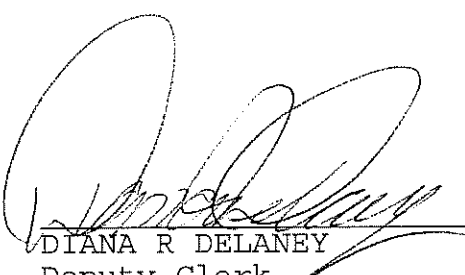
Water Right(s): 63-00329B
63-00330B 63-00331B 63-00332
63-00379

On July 11, 2007, Special Master THEODORE R. BOOTH
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 July 11, 2007.


DIANA R DELANEY
Deputy Clerk

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

2007 JUL 11 PM 3 06

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): 63-00329B
63-00330B 63-00331B 63-00332
63-00379

CERTIFICATE OF MAILING

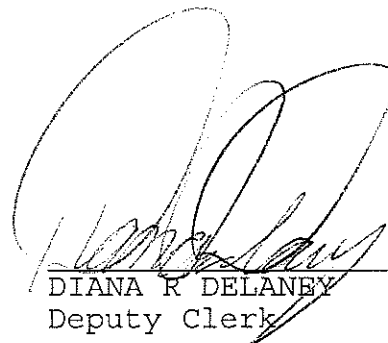
I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on July 11, 2007, with sufficient first-class postage prepaid to the following:

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

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

PLEASANT VALLEY IRR CO
C/O TERRY COPPLE ESQ
PO BOX 1583
BOISE, ID 83701
Phone: 208-342-3658

CERTIFICATE OF MAILING



DIANA R DELANEY
Deputy Clerk

PAGE 1
07/11/07