

2007 JUL 19 AM 11:45
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 74-185, 74-186 and 74-457
Case No. 39576) (Eagle Valley Ranch LLC)
)
) SPECIAL MASTER REPORT
)
_____)

Findings of Fact

The Director of the Idaho Department of Water Resources filed his *Director's Report, Reporting Area 23, IDWR Basin 74* on January 23, 2006. The Director recommended claims 74-185, 74-186 and 74-457 to Eagle Valley Ranch LLC, 446 Bohannon Creek Road, Salmon, Idaho, 83467, for 3 cfs, .9 cfs and .54 cfs from Bohannon Creek to irrigate 134 acres, 36 acres and 26.7 acres in Lemhi County from March 15 to November 15 with priority dates of June 1, 1897, May 1, 1913, and June 1, 1967, based on a decree.

The United States of America, Department of Interior, Bureau of Land Management filed an *Objection* in subcase 74-185 on June 29, 2006, objecting to place of use. IDWR identified claims 74-186 and 74-457 as uncontested overlapping claims.

On July 17, 2007, Eagle Creek Ranch LLC and the United States, with IDWR's concurrence, filed an *Amended Claim Standard Form 5* in subcase 74-185 agreeing to amend the place of use and add the remark: "Place of use does not include federal public lands."

Conclusions of Law

Eagle Creek Ranch LLC is entitled to partial decrees adjudicating water rights for claims 74-185, 74-186 and 74-457 as described in the *Amended Claim SF-5* and the attached *Special Master Recommendations for Partial Decrees for Water Rights 74-185, 74-186 and 74-457*.

DATED July 19, 2007.

A handwritten signature in black ink, reading "Terrence A. Dolan". The signature is written in a cursive style with a horizontal line underneath it.

TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

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DISTRICT COURT - 25th JUDGE
 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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 74-00186

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NAME AND ADDRESS: EAGLE VALLEY RANCH LLC
446 BOHANNON CREEK RD
SALMON, ID 83467

SOURCE: BOHANNON CREEK TRIBUTARY: LEMHI RIVER

QUANTITY: 0.90 CFS

PRIORITY DATE: 05/01/1913

POINT OF DIVERSION: T21N R23E S22 SWNE Within Lemhi County
S28 NWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.90 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T21N R23E S28	SENE 4.0 NESW 7.0 SESW 17.0 NWSE 8.0
	36.0 Acres Total	

USE OF THIS RIGHT WITH RIGHT NOS. 74-185 AND 74-457 IS LIMITED
TO THE IRRIGATION OF A COMBINED TOTAL OF 185.7 ACRES IN A SINGLE
IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 74-457 IS
LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 58.0 ACRES IN A
SINGLE IRRIGATION SEASON.
This right authorizes the irrigation of 37.0 total acres.

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

RECOMMENDATION

JUL 19 2007

[Signature]
SPECIAL MASTER

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Water Right 74-00457

DISTRICT COURT-SRBA
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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

CERTIFICATE OF MAILING

Water Right(s): 74-00185
74-00186 74-00457

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 19, 2007, with sufficient first-class postage prepaid to the following:

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

EAGLE VALLEY RANCH LLC
Represented by:
KENT W FOSTER
1000 RIVERWALK DR, STE 200
PO BOX 50130
IDAHO FALLS, ID 83405
Phone: 208-523-0620

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

CERTIFICATE OF MAILING

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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
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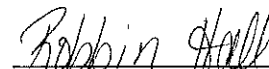
In Re SRBA	)	NOTICE OF ISSUANCE OF
	)	SPECIAL MASTER'S
Case No. 39576	)	RECOMMENDATION
	)	
_____	)	Water Right(s): 74-00185
		74-00186 74-00457

On July 19, 2007, Special Master TERRENCE A. DOLAN 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 19, 2007.



ROBBIN HALL
Deputy Clerk