

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)
Water Right 37-00824)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

2007 AUG 21 PM 12:01

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: CASA DEL NORTE LP
JOHN B MC CALLUM
11204 N BAR 21 DR
GLENNS FERRY, ID 83623

SOURCE: CLOVER CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 1.00 CFS

PRIORITY DATE: 04/01/1900

POINT OF DIVERSION: T05S R12E S17 NENWNW Within Gooding County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 03-15 TO 11-15 1.00 CFS

PLACE OF USE: Irrigation Within Gooding County
T04S R12E S32 SESW 10.0 SWSE 0.4
T05S R12E S05 LOT 2 (NWNE) 12.0 SWNE 36.0
SENE 2.8 LOT 3 (NENW) 8.8
LOT 4 (NWNW) 7.3 SWNW 9.6
SENW 22.0 NESW 10.0
NWSW 2.5
121.4 Acres Total

Right nos. 37-819A, 37-820A, 37-823, 37-824, and 37-21291 are limited to the irrigation of a combined total of 121.4 acres in a single irrigation season.

Right nos. 37-819A, 37-820A, 37-821B, 37-823, 37-824, and 37-21291 are limited to the irrigation of a combined total of 253.3 acres in a single irrigation season.

Right nos. 37-819A, 37-820A, 37-821B, 37-823, 37-824, 37-826, 37-827, 37-828, 37-7081, 37-19825 and 37-21291 are limited to the irrigation of a combined total of 401.2 acres in a single irrigation season.

Right nos. 37-819A, 37-820A, 37-823, 37-824, 37-826, 37-827, 37-828, 37-7081, 37-19825 and 37-21291 are limited to the irrigation of a combined total of 269.3 acres 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).

RECOMMENDATION

AUG 21 2007

Supriya Solay
SPECIAL MASTER

2007 AUG 21 PM 12: 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	)	SPECIAL MASTER'S REPORT AND
	)	RECOMMENDATION; FINDINGS OF
Case No. 39576	)	FACT AND CONCLUSIONS OF LAW
	)	
	)	WATER RIGHT NOS.: 37-819A,
_____	)	37-820A, 37-821B, 37-823, 37-824, 37-826,
	)	37-827, 37-828, and 37-21291

I. FINDINGS OF FACT

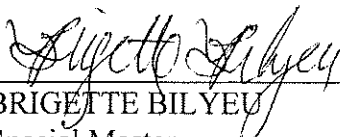
Claims were filed for the above listed water rights pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources examined the water system for this reporting area. The *Director's Report* contained recommendations for the elements of these water rights.

No objections were filed for the above listed water rights. These water rights, however, are used in combination with water right 37-19825 which was the subject of an *Objection*. The *Objection* was resolved on November 9, 2006, with the filing of a *Standard Form 5*. All parties to the subcase and IDWR are signatories to the *Standard Form 5*. There are no unresolved objections remaining.

II. CONCLUSIONS OF LAW

Based on the file and record herein, IT IS RECOMMENDED that these water rights be **decreed** with the elements set forth in the attached *Special Master's Recommendations for Partial Decrees*.

DATED: August 21, 2007.



BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

2007 AUG 21 PM 12: 01

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO

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): 37-00819A
37-00820A 37-00821B 37-00823
37-00824 37-00826 37-00827
37-00828 37-21291

On August 21, 2007, Special Master BRIGETTE BILYEU 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 August 21, 2007.


JANET CONNELL
Deputy Clerk

2007 AUG 21 PM 12:01

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

CERTIFICATE OF MAILING

Water Right(s): 37-00819A
37-00820A 37-00821B 37-00823
37-00824 37-00826 37-00827
37-00828 37-21291

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

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

CASA DEL NORTE LP
JOHN B MC CALLUM
11204 N BAR 21 DR
GLENNS FERRY, ID 83623
Phone: 208-366-7931


JANET CONNELL
Deputy Clerk