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OCT 15 2007

DEPARTMENT OF
WATER RESOURCES

2007 OCT 17 PM 2: 27

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 03-2000, 03-4008A, 03-4009 (C/C
Case No. 39576) LLC)
) and 03-10192 (Colwell)
)
) SPECIAL MASTER REPORT

Findings of Fact

The Director of the Idaho Department of Water Resources filed his *Director's Report, Irrigation & Other Uses, IDWR Basin 03* on August 15, 2006. The Director recommended claims 03-2000 and 03-4008A to C/C LLC, 3990 Highway 52, Payette, Idaho, 83661, for 1.5 cfs and 5.5 cfs from the Snake River for stockwater use and to irrigate 76 acres and 275 acres in Payette County from March 1 to November 15 with priority dates of November 20, 1905, and June 1, 1954, based on a license and beneficial use. The Director recommended C/C LLC's claim 03-4009 be disallowed:

"Recommended as right no. 3-2000."

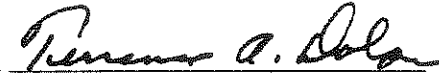
The Director recommended claim 03-10192 to George E. Colwell (same address as C/C LLC) for .05 cfs from the Snake River for stockwater use in Payette County from March 1 to November 15 with a priority date of June 1, 1954, based on beneficial use.

George and Cheryl Colwell filed *Objections* on November 1, 2006, objecting to name and address, points of diversion, period of year and place of use (03-2000, 03-4008A and 03-10192) and the water right not being recommended (03-4009). On October 10, 2007, the Colwells, with IDWR's concurrence, filed *Standard Forms 5* agreeing to a year- 'round stockwater period of use, a combined total limit, amended explanatory remarks and adjudication of 03-4009 for 1.1 cfs from the Snake River to irrigate 76 acres in Payette County from March 1 to November 15 with a priority date of July 1, 1954, based on beneficial use.

Conclusions of Law

C/C LLC and George E. Colwell are entitled to partial decrees for claims 03-2000, 03-4008A and 03-4009 (C/C LLC) and 03-10192 (Colwell) as described in the *SF-5's* and the attached *Special Master Recommendations for Partial Decrees for Water Rights 03-2000, 03-4008A, 03-4009 and 03-10192*.

DATED October 17, 2007.



TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudications

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

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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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 03-04008A

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DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: C/C LLC
3990 HWY 52
PAYETTE, ID 83661

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 5.50 CFS

PRIORITY DATE: 06/01/1954

POINT OF DIVERSION: T09N R05W S32 NWSW Within Payette County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	5.50 CFS

PLACE OF USE:	Irrigation	Within Payette County
	T09N R05W S29	SWNE 11.0 LOT 2 (SWNE) 0.5
		SENE 2.0 SENW 4.0
	LOT 3 (SENE) 0.5	NESW 9.5
	LOT 3 (NESW) 24.5	LOT 4 (SESW) 13.0
	NESE 4.0	LOT 1 (NESE) 0.5
	NWSE 15.0	LOT 2 (NWSE) 22.5
	SWSE 36.0	SESE 0.5
	LOT 1 (SESE) 15.5	
	S32 NWNE 9.0	NENW 2.0
	LOT 3 (NENW) 22.0	NWNW 1.0
	SWNW 14.5	LOT 4 (SWNW) 5.5
	SENE 0.5	LOT 4 (SENE) 36.5
	NESW 8.0	NWSW 9.0
	LOT 5 (NWSW) 8.0	
	275.0 Acres Total	

T09N, R05W S29 SWNE, SENE, SENW, NESW, NESE, NWSE, SESE; S32
NENW, NWNW, SWNW, SENW, & NWSW is unsurveyed, nonfederal land
except where noted by GCDB lot number.
Place of use includes area also served by Washoe Irrigation &
Water Power Company.

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.

RECORDATION

OCT 17 2007

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 03-04009

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DISTRICT COURT-SRB/
TWIN FALLS CO., IDAH
FILED

NAME AND ADDRESS: C/C LLC
3990 HWY 52
PAYETTE, ID 83661

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1.10 CFS

PRIORITY DATE: 07/01/1954

POINT OF DIVERSION: T09N R05W S32 LOT 7 (NENW) Within Payette County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	1.10 CFS

PLACE OF USE: Irrigation Within Payette County
T09N R05W S29 LOT 5 (NWSW) 38.0
S30 LOT 1 (SESE) 5.0
S31 LOT 2 (NENE) 15.0
S32 LOT 7 (NENW) 18.0
76.0 Acres Total

RIGHT NOS. 3-2000 AND 3-4009 ARE LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 76 ACRES IN A SINGLE IRRIGATION SEASON.

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

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

OCT 17 2007

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 03-10192

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DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: GEORGE E COLWELL
3990 HWY 52
PAYETTE, ID 83661

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.05 CFS

PRIORITY DATE: 06/01/1954

POINT OF DIVERSION: T09N R05W S32 NWSW Within Payette County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	03-01 TO 11-15	0.05 CFS

PLACE OF USE:	Stockwater		Within Payette County
	T09N R05W S29	SWNE	LOT 2 (SWNE)
		SENE	SENE
	LOT 3 (SENE)		SENE
	LOT 3 (SENE)	LOT 4 (SENE)	LOT 4 (SENE)
		NESE	LOT 1 (NESE)
		NWSE	LOT 2 (NWSE)
		SESE	SESE
	LOT 1 (SESE)		
	S32	NWNE	NENW
	LOT 3 (NENW)		NWNW
		SNNW	LOT 4 (SNNW)
		SENE	LOT 4 (SENE)
		NENW	NENW
	LOT 5 (NENW)		

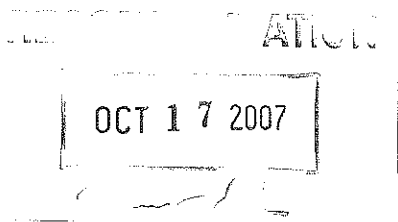
T09N, R05W S29 SWNE, SENE, SENW, NESW, NESE, NWSE, SESE; S32
NENW, NWNW, SNNW, SENW, & NWSW is unsurveyed nonfederal land
except where noted by GCDB lot number.

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

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

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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): 03-02000
03-04008A 03-04009 03-10192

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 October 17, 2007, with sufficient first-class postage prepaid to the following:

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

CHERYL F COLWELL
GEORGE E COLWELL
Represented by:
DANA L. HOFSTETTER
608 WEST FRANKLIN STREET
BOISE, ID 83702
Phone: 208-424-7800

CERTIFICATE OF MAILING

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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

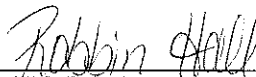
Water Right(s): 03-02000
03-04008A 03-04009 03-10192

On October 17, 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.

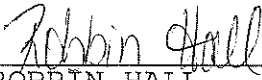
Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED October 17, 2007.



ROBBIN HALL
Deputy Clerk

C/C LLC
GEORGE E COLWELL
3990 HWY 52
PAYETTE, ID 83661
Phone: 208-278-3448



ROBBIN HALL
Deputy Clerk