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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____
2007 DEC 4 AM 11 45

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 63-00184,
) 63-00365, 63-02973, 63-03261, 63-07103,
) and 63-08627

I. FINDINGS OF FACT

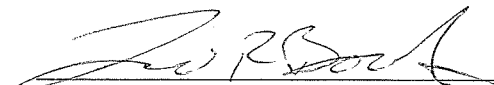
Notices of claim were filed for the above-captioned water rights pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources (IDWR) examined the water system for this reporting area. The *Director's Report* contained a recommendation or abstract for the elements of these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

Objections to the *Director's Report* were timely filed by the Harris Ranch Owners Association and/or the Harris Family Limited Partnership. On November 28, 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.

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 63-00184, 63-00365, 63-02973, 63-03261, 63-07103, 63-08627 be **decreed** with the elements as set forth in the attached *Recommendations for Partial Decrees Pursuant to I.R.C.P. 54(b)*.

Dated Dec 4, 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 CO., IDAHO

DISTRICT COURT - SRBA
FILED
2007 DEC 4 AM 11 45

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 63-00184

NAME AND ADDRESS: HARRIS RANCH OWNERS ASSN
C/O ASSOCIATION MANAGEMENT INC
2242 RIVERWALK DR STE 220
BOISE, ID 83705

SOURCE: BOISE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 2.24 CFS
504.00 AFY

This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and preceding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and preceding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: 06/01/1869

POINT OF DIVERSION: T03N R03E S33 LOT 9 (SWSE) Within Ada County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	2.24 CFS 504.00 AFY

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Water Master and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoir dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

PLACE OF USE:	Irrigation	Within Ada County
	T03N R03E S20	SWSE 1.0
	S29	NENE 33.0
		SWNE 33.0
		NESE 16.0
		NWNE 36.0
		SENE 13.0
		NWSE 37.0

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

LOT 2 (SWSE) 18.0 LOT 1 (SESE) 1.0
188.0 Acres Total

USE OF THIS RIGHT WITH RIGHT NO. 63-3261 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 147 ACRES IN THE PLACE OF USE
DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 112 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

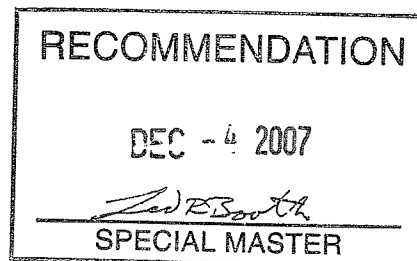
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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).

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



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

2007 DEC 4 AM 11 45

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 63-00365

NAME AND ADDRESS: HARRIS FAMILY LTD PARTNERSHIP
4940 E MILL STATION RD
BOISE, ID 83716

SOURCE: WARM SPRINGS CREEK TRIBUTARY: BOISE RIVER

QUANTITY: 7.10 CFS
1597.50 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 7.1 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 1597.5 AF. COMBINED RIGHT NOS.:
63-365, 63-2973, 63-7103 AND 63-8627.

PRIORITY DATE: 07/02/1902

POINT OF DIVERSION: T03N R03E S20 NESW Within Ada County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	7.10 CFS 1597.50 AFY

PLACE OF USE:	Irrigation	Within Ada County
T03N R03E S19 LOT 4	(NESW) 4.0	LOT 5 (SESW) 0.5
	NESE 18.0	SWSE 15.7
	SESE 32.5	
S20	NESW 7.0	NWSW 24.0
	SWSW 38.0	SESW 20.0
S29	NENW 16.7	NWNW 34.0
LOT 5	(SWNW) 38.0	SENE 17.3
LOT 3	(NESW) 19.0	LOT 4 (NWSW) 19.0
LOT 4	(SWSW) 2.0	LOT 3 (SESW) 8.0
S30 LOT 9	(NENE) 27.0	LOT 9 (NWNE) 7.3
LOT 8	(SENE) 7.0	
355.0 Acres Total		

USE OF THIS RIGHT WITH RIGHT NOS. 63-2973, 63-7103 AND 63-8627
IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 355 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).

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



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

2007 DEC 4 AM 11 45

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 63-02973

NAME AND ADDRESS: HARRIS FAMILY LTD PARTNERSHIP
4940 E MILL STATION RD
BOISE, ID 83716

SOURCE: GROUND WATER

QUANTITY: 0.42 CFS
108.00 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 7.1 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 1597.5 AF. COMBINED RIGHT NOS.:
63-365, 63-2973, 63-7103 AND 63-8627.

PRIORITY DATE: 12/28/1953

POINT OF DIVERSION: T03N R03E S29 SENE Within Ada County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	0.42 CFS 108.00 AFY

PLACE OF USE:	Irrigation	Within Ada County
	T03N R03E S19 LOT 4	(NESW) 4.0 LOT 5 (SESW) 0.5
		NESE 18.0 SWSE 15.7
		SESE 32.5
	S20	NESW 7.0 NWSW 24.0
		SWSW 38.0 SESW 20.0
	S29	NENW 16.7 NWNW 34.0
	LOT 5	(SWNW) 38.0 SENW 17.3
	LOT 3	(NESW) 19.0 LOT 4 (NWSW) 19.0
	LOT 4	(SWSW) 2.0 LOT 3 (SESW) 8.0
	S30 LOT 9	(NENE) 27.0 LOT 9 (NWNE) 7.3
	LOT 8	(SENE) 7.0
	355.0 Acres Total	

This right is limited to the irrigation of 24 acres within the
place of use described above in a single irrigation season.
USE OF THIS RIGHT WITH RIGHT NOS. 63-365, 63-7103 AND 63-8627 IS
LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 355 ACRES IN A
SINGLE IRRIGATION SEASON.

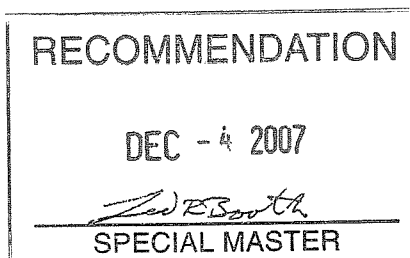
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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).

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



DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

2007 DEC 4 AM 11 45

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
Case No. 39576) I.R.C.P. 54(b) FOR
) Water Right 63-03261

NAME AND ADDRESS: HARRIS RANCH OWNERS ASSN
C/O ASSOCIATION MANAGEMENT INC
2242 RIVERWALK DR STE 220
BOISE, ID 83705

SOURCE: GROUND WATER

QUANTITY: 0.70 CFS
158.00 AFY

PRIORITY DATE: 10/03/1961

POINT OF DIVERSION: T03N R03E S29 SENE Within Ada County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	0.70 CFS 158.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:	Irrigation	Within Ada County
	T03N R03E S20 LOT 1 (SWSE) 1.0	
	S29 NENE 33.0	NWNE 36.0
	SWNE 33.0	SENE 13.0
	NESE 16.0	NWSE 37.0
	LOT 2 (SWSE) 18.0	LOT 1 (SESE) 1.0
	188.0 Acres Total	

This right is limited to the irrigation of 35 acres within the place of use described above in a single irrigation season.
Use of this right with Right No. 63-184 is limited to the irrigation of a combined total of 147 acres in the place of use described above in a single irrigation season.

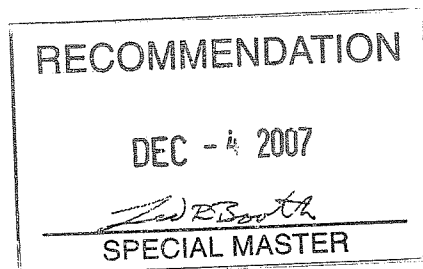
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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).

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



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)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 63-07103

2007 DEC 4 PM 11 45

NAME AND ADDRESS: HARRIS FAMILY LTD PARTNERSHIP
4940 E MILL STATION RD
BOISE, ID 83716

SOURCE: GROUND WATER

QUANTITY: 1.20 CFS
363.00 APY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 7.1 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 1597.5 AF. COMBINED RIGHT NOS.:
63-365, 63-2973, 63-7103 AND 63-8627.

PRIORITY DATE: 06/25/1968

POINT OF DIVERSION: T03N R03E S29 SENE Within Ada County

PURPOSE AND			
PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	1.20 CFS
			363.00 APY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS REMARK
IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY
OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE
A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:	Irrigation	Within Ada County
	T03N R03E S19 LOT 4	(NESW) 4.0 LOT 5 (SESW) 0.5
		NESE 18.0 SWSE 15.7
		SESE 32.5
	S20	NESW 7.0 NWSW 24.0
		SWSW 38.0 SESW 20.0
	S29	NENW 16.7 NWNW 34.0
	LOT 5	(SNNW)38.0 SENW 17.3
	LOT 3	(NESW)19.0 LOT 4 (NWSW)19.0
	LOT 4	(SWSW) 2.0 LOT 3 (SESW) 8.0
	S30 LOT 9	(NENE)27.0 LOT 9 (NWNE) 7.3
	LOT 8	(SENE) 7.0
	355.0 Acres Total	

This right is limited to the irrigation of 80.5 acres within the
place of use described above in a single irrigation season.
The rights listed below are limited to the irrigation of a
combined total of 355 acres in a single irrigation season.
Combined Right Nos.: 63-365, 63-2973, 63-7103 and 63-8627.

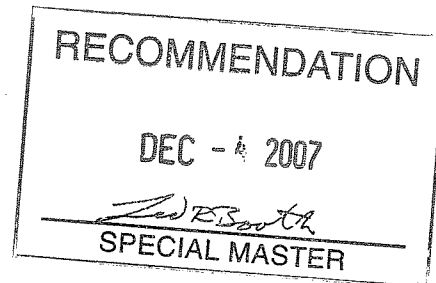
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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).

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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

FILED

In Re SRBA)
)
Case No. 39576)
)

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

Water Right 63-08627

2007 DEC 4 AM 11 45

NAME AND ADDRESS: HARRIS FAMILY LTD PARTNERSHIP
4940 E MILL STATION RD
BOISE, ID 83716-0125

SOURCE: GROUND WATER

QUANTITY: 1.42 CFS
690.10 AFY

USE OF THIS RIGHT WITH RIGHT NO.63-7103 SHALL NOT EXCEED A
MAXIMUM COMBINED ANNUAL DIVERSION VOLUME OF 1054.7 AF AT THE
FIELD HEADGATE.
THE RIGHTS LISTED BELOW ARE LIMITED TO A TOTAL COMBINED DIVERSION
RATE OF 7.1 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION
VOLUME OF 1597.5 AF. COMBINED RIGHT NOS.: 63-365, 63-2973,
63-7103 AND 63-8627.

PRIORITY DATE: 03/21/1977

POINT OF DIVERSION: T03N R03E S20 NESW (Rediversion) Within Ada County
NESW (Injection)
NESW
SESW (Rediversion)

WATER DIVERTED UNDER THIS RIGHT IS INJECTED INTO WARM SPRINGS
CREEK AND IS REDIVERTED FROM WARM SPRINGS CREEK IN THE NESW S20,
T3N, R3E, AT THE INTERSECTION OF THE CREEK AND THE PENITENTIARY
CANAL.

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 03-15 TO 11-15 1.42 CFS
690.10 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 1 PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT
EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS
SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR
LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A
PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: Irrigation Within Ada County
T03N R03E S19 LOT 5 (NESW) 4.4 LOT 5 (SESW) 0.4
NESE 19.0 SWSE 12.4
SESE 31.1
S20 NESW 6.3 NWSW 22.0
SWSW 38.5 SESW 20.0
S29 NENW 11.9 NWNW 29.0
195.0 Acres Total

THE RIGHTS LISTED BELOW ARE LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 355 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 63-365, 63-2973, 63-7103 AND 63-8627.
USE OF THIS RIGHT WITH RIGHT NO. 63-7103 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 238.5 ACRES IN A SINGLE
IRRIGATION SEASON.

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

WHEN THE APPURTENANT SURFACE WATER RIGHTS ARE NOT AVAILABLE, THE PORTION OF THE PLACE OF USE LOCATED EAST OF THE REDIVERSION POINTS MAY BE IRRIGATED UNDER THIS RIGHT BY DIVERTING WATER FROM THE PENITENTIARY CANAL IN EXCHANGE FOR REPLENISHING THE PENITENTIARY CANAL WITH AN EQUAL AMOUNT OF WATER DIVERTED UNDER THIS RIGHT, SO LONG AS THE ARRANGEMENT IS ACCEPTABLE TO THE OWNERS/OPERATORS OF THE PENITENTIARY CANAL.

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



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

2007 DEC 4 AM 11 45

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): 63-00184
63-00365 63-02973 63-03261.
63-07103 63-08627

On December 04, 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 December 04, 2007.



DIANA R. DELANEY
Deputy Clerk

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

2007 DEC 4 AM 11 46

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): 63-00184
63-00365 63-02973 63-03261
63-07103 63-08627

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 December 04, 2007, with sufficient first-class postage prepaid to the following:

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

HARRIS FAMILY LTD PARTNERSHIP
Represented by:
ALBERT P BARKER
1010 W JEFFERSON, STE 102
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

CERTIFICATE OF MAILING

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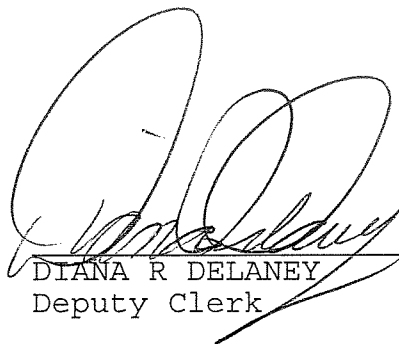
HARRIS RANCH OWNERS ASSOC

Represented by:
JOHN M MARSHALL
601 W BANNOCK ST
PO BOX 2720
BOISE, ID 83701-2720
Phone: 208-388-1200

HARRIS RANCH OWNERS ASSN
C/O ASSOCIATION MANAGEMENT INC
2242 RIVERWALK DR STE 220
BOISE, ID 83705
Phone: 208-344-2573

HARRIS FAMILY LTD PARTNERSHIP
4940 E MILL STATION RD
BOISE, ID 83716
Phone: 208-344-2573

HARRIS FAMILY LTD PARTNERSHIP
4940 E MILL STATION RD
BOISE, ID 83716-0125
Phone: 208-344-2574



DIANA R DELANEY
Deputy Clerk