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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
FEB - 4 2008	
By _____	Clerk
Deputy Clerk	

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

) AMENDED SPECIAL MASTER'S
) REPORT and AMENDED
) RECOMMENDATION
)
) FOR WATER RIGHT 67-00094

On January 7, 2008, this Special Master issued a *Special Master's Report and Findings of Fact and Conclusions of Law for Water Right 67-00094*.

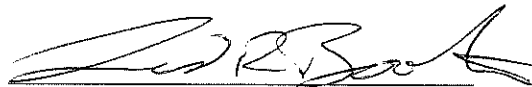
On January 10, 2008, Claimant C & V Harrell Ranch LLC contacted the court regarding possible clerical errors in the description of the Point of Diversion element for this water right.

After reviewing the *Standard Form 5* filed December 28, 2007, this court finds that there were clerical errors in the description of the Point of Diversion element contained in the *Special Master's Report and Recommendation* issued on January 7, 2008.

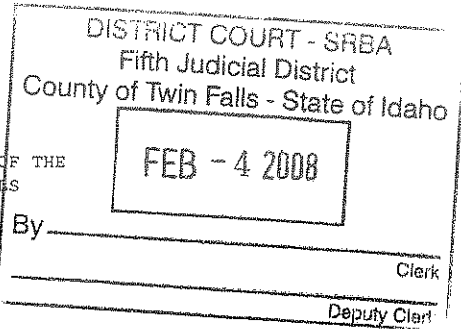
Therefore based on the file and record herein and pursuant to the *Standard Form 5*, IT IS RECOMMENDED that water right 67-00094 be **decreeed** with the elements as set forth in the attached *Amended Recommendation for Partial Decree Pursuant to I.R.C.P. 54(b)*.

Date:

Feb. 4, 2008



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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 67-00094

NAME AND ADDRESS: C & V HARRELL RANCH LLC
C/O ROBERT C HARRELL
30 SHORELAKE DR
KINGWOOD, TX 77339

SOURCE: UNNAMED STREAM TRIBUTARY: FALL CREEK

Water is diverted from the source and then injected into North Fork Greys Creek, then rediverted into a man made ditch that turns into a natural drain, then injected into Thorn Creek from which it is rediverted to the place of use.

QUANTITY: 2.40 CFS

PRIORITY DATE: 07/01/1883

POINT OF DIVERSION: T15N R01E S30 LOT 2 (SWNW) (Rediversion) Within Adams County
S35 NESE (Injection)
S36 NWSW
R01W S26 NWNW (Injection)
S27 SWSE (Rediversion)
NWSE (Rediversion)

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 10-31	2.40 CFS

PLACE OF USE: Irrigation Within Adams County

T15N R01W S27	SESW 18.0	SWSE 37.0
S34	NWNE 4.0	NENW 35.0
	NWNW 26.0	
120.0 Acres Total		

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

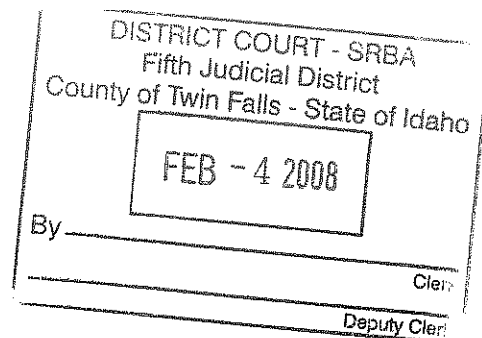
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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

FEB - 4 2008

Zeel Booth
SPECIAL MASTER



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

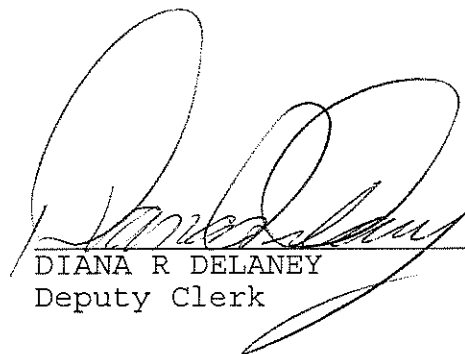
Water Right(s): 67-00094

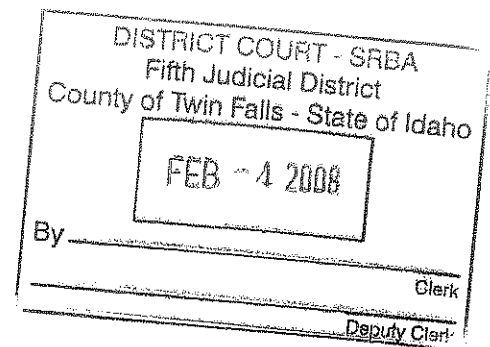
On February 04, 2008, Special Master THEODORE R. BOOTH issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

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 February 04, 2008.


DIANA R DELANEY
Deputy Clerk



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): 67-00094

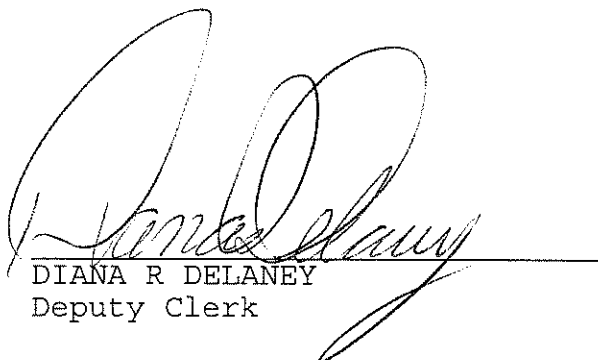
CERTIFICATE OF MAILING

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 February 04, 2008, with sufficient first-class postage prepaid to the following:

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

C & V HARRELL RANCH LLC
C/O ROBERT C HARRELL
30 SHORELAKE DR
KINGWOOD, TX 77339
Phone: 281-358-8277

ROBERT C HARRELL
30 SHORELAKE DR
KINDWOOD, TX 77339
Phone: 281-358-8277


DIANA R DELANEY
Deputy Clerk

CERTIFICATE OF MAILING

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02/04/08