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DEPARTMENT OF
WATER RESOURCES

2008 APR -2 AM 10:36

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) Subcase 47-2245
Case No. 39576) (Rainbow Trout Farms, Inc.)
)
) ORDER GRANTING MOTION TO
) WITHDRAW OBJECTION AND
) SPECIAL MASTER REPORT

Findings of Fact

The Director of the Idaho Department of Water Resources filed his *Director's Report, Irrigation & Other Uses, Reporting Area 12, IDWR Basin 47* on February 2, 2007. The Director recommended the claim to Rainbow Trout Farms, Inc., 1301 Vista Avenue, Boise, Idaho, 83705, for 10.6 cfs from an unnamed stream for year-'round fish propagation and domestic uses in Twin Falls County with a priority date of September 14, 1948, based on a license.

The Twin Falls Canal Company filed an *Objection* on September 14, 2007, objecting to source. On March 24, 2008, the Canal Company filed its *Notice of Withdrawal of Objection*.

Order

THEREFORE, IT IS ORDERED that the Twin Falls Canal Company's motion to withdraw its *Objection* is **granted**.

Conclusions of Law

The Rainbow Trout Farms, Inc., is entitled to a partial decree adjudicating a water right as recommended by IDWR and as described in the attached *Special Master Recommendation for Partial Decree for Water Right 47-2245*.

DATED April 2, 2008.



TERRENCE A. DOLAN
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)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 47-02245

NAME AND ADDRESS: RAINBOW TROUT FARMS INC
1301 VISTA AVE
BOISE, ID 83705

SOURCE: UNNAMED STREAM TRIBUTARY: MUD CREEK

QUANTITY: 10.60 CFS

The quantity of water under this right for domestic use shall
not exceed 13,000 gallons per day.

PRIORITY DATE: 09/14/1948

POINT OF DIVERSION: T09S R14E S24 SESWNE Within Twin Falls County
NENWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Fish Propagation	01-01 TO 12-31	10.60 CFS
	Domestic	01-01 TO 12-31	0.04 CFS

PLACE OF USE:	Fish Propagation	Within Twin Falls County
	T09S R14E S24	SWNE
	Domestic	Within Twin Falls County
	T09S R14E S24	SWNE

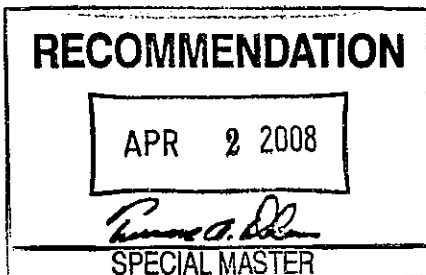
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right for domestic
use is not a determination of historical beneficial use.

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

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In Re SRBA)

CERTIFICATE OF MAILING

Case No. 39576)

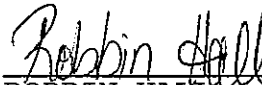
Water Right(s): 47-02245

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 April 02, 2008, with sufficient first-class postage prepaid to the following:

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

RAINBOW TROUT FARMS INC
1301 VISTA AVE
BOISE, ID 83705
Phone: 208-342-0090



ROBBIN HALL
Deputy Clerk

CERTIFICATE OF MAILING

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04/02/08

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In Re SRBA

Case No. 39576

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NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

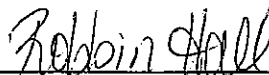
Water Right(s): 47-02245

On April 02, 2008, 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 April 02, 2008.



ROBBIN HALL
Deputy Clerk