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DEPARTMENT OF
WATER RESOURCES

2008 APR -9 PM 3:47

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

) AMENDED SPECIAL MASTER'S
) REPORT AND RECOMMENDATION;
) FINDINGS OF FACT AND
) CONCLUSIONS OF LAW

) WATER RIGHT NO.: 22-2204

I. FINDINGS OF FACT

A notice of claim was filed for this water right 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 a recommendation for the elements of this water right.

An *Objection* was filed by Basin American, Inc. on May 5, 2006. A *Motion to File Amended Notice of Claim* was filed by Basic American Foods on July 18, 2007. An *Amended Director's Report* was filed on September 28, 2007. The *Amended Director's Report* was placed on the Docket Sheet. An *Objection* was filed by Basic American Foods on October 19, 2007. The *Objection* was resolved on December 19, 2007 with the filing of a *Standard Form 5*. All parties to the subcase and IDWR are signatories to the *Standard Form 5*.

II. CONCLUSIONS OF LAW

Therefore, based on the file and record herein, IT IS RECOMMENDED that this water right be decreed with the elements set forth in the attached *Special Master's Recommendation for Partial Decree*. The Amended Special Master's Report only corrects a spelling error in the language on the recommendation under "Purpose and Period of Use". There were no changes made to the elements.

DATED: April 9, 2008.


BRIGETTE BILYEU, Special Master
Snake River Basin Adjudication

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

FREE I.C. SECTION 42-1412(6)
RECOMMENDATION

APR 09 2008

Eric H. L...
SPECIAL MASTER

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 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

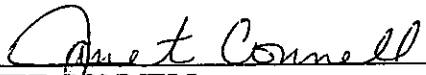
Water Right (s) : 22-2204

On April 9, 2008, Special Master BRIGETTE BILYEU issued an
AMENDED SPECIAL MASTER'S REPORT AND RECOMMENDATION;
FINDINGS OF FACT AND CONCLUSIONS OF LAW 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 9, 2008.



JANET CONNELL
Deputy Clerk

2008 APR -9 PM 3:47

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

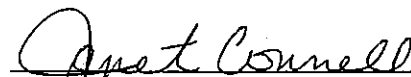
In Re SRBA	)	CERTIFICATE OF MAILING
	)	
Case No. 39576	)	
_____	)	Water Right (s) : 22-2204

CERTIFICATE OF MAILING

I certify that a true and correct copy of the AMENDED SPECIAL MASTER'S REPORT AND RECOMMENDATION; FINDINGS OF FACT AND CONCLUSIONS OF LAW was mailed on April 9, 2008, with sufficient first-class postage prepaid to the following:

Director of IDWR
PO Box 83720
Boise, Idaho 83720-0098

Basic American Foods
Basic American Inc.
Represented by:
Josephine P. Beeman
409 W Jefferson St.
Boise, Idaho 83702


Deputy Clerk