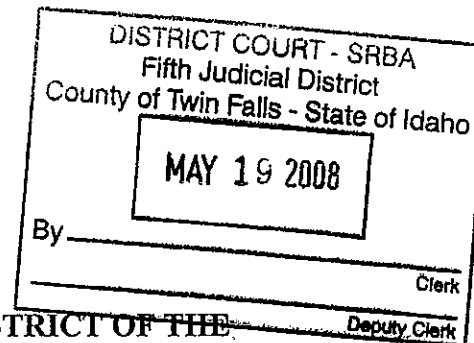


RECEIVED

MAY 20 2008

DEPARTMENT OF
WATER RESOURCES



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) SPECIAL MASTER'S REPORT
Case No. 39576)
) FINDINGS OF FACT AND
) CONCLUSIONS OF LAW
)
) FOR WATER RIGHTS 67-14480,
) 67-14577, and 67-14578

A notice of claim was filed for water right 67-02209 pursuant to I.C. § 42-1409. Subsequent to the filing of the claim, water right 67-02209 was split into three parts: 67-14480, 67-14577 and 67-14578. 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 the split water rights.

On July 10, 2007, the claimants of water right 67-14480 filed an objection to the *Director's Report*, asserting that the number of irrigated acres was incorrectly recommended. Although no objections were filed to the *Director's Reports* for water rights 67-14577 and 67-14578, they were identified by IDWR as uncontested overlaps. On May 14, 2008, the parties filed a *Standard Form 5 - Stipulated Elements of a Water Right* which resolved the objection. The Idaho Department of Water Resources concurred with the stipulation.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein and pursuant to the *Standard Form 5*, IT IS RECOMMENDED that water rights 67-14480, 67-14577 and 67-14578 be decreed with the elements as set forth in the attached *Recommendation for Partial Decree Pursuant to I.R.C.P.*

54(b).

Dated

May 19, 2008

A handwritten signature in black ink, appearing to read 'Theodore R. Booth'.

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 67-14480

NAME AND ADDRESS: JEANNE M GETTLE
MICHAEL N GETTLE
1410 E 9TH ST
WEISER, ID 83672

MARK A PORT
255 COGGINS DR #G16
PLEASANT HILL, CA 94523

SOURCE: GROUND WATER

QUANTITY: 0.15 CFS
42.80 AFY

PRIORITY DATE: 09/14/1951

POINT OF DIVERSION: T10N R05W S16 NWNE Within Washington County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	0.15 CFS 42.80 AFY

PLACE OF USE: Irrigation Within Washington County
T10N R05W S16 NWNE 9.5
9.5 Acres Total

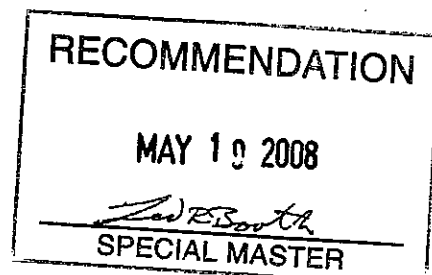
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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



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 67-14578

NAME AND ADDRESS: NATALIE BUMGARNER
ROBERT A BUMGARNER
384 CLABBY RD
WEISER, ID 83672

SOURCE: GROUND WATER

QUANTITY: 0.075 CFS
22.50 AFY

PRIORITY DATE: 09/14/1951

POINT OF DIVERSION: T10N R05W S16 NWNE Within Washington County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	0.075 CFS 22.50 AFY

PLACE OF USE: Irrigation Within Washington County
T10N R05W S16 NWNE 5.0
5.0 Acres Total

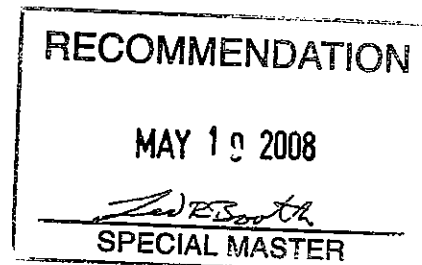
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John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
Case No. 39576) I.R.C.P. 54(b) FOR
) Water Right 67-14577

NAME AND ADDRESS: JUDY MATTERN
ROBERT B MATTERN
380 CLABBY RD
WEISER, ID 83672

SOURCE: GROUND WATER

QUANTITY: 0.075 CFS
22.50 AFY

PRIORITY DATE: 09/14/1951

POINT OF DIVERSION: T10N R05W S16 NWNE Within Washington County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	0.075 CFS 22.50 AFY

PLACE OF USE: Irrigation Within Washington County
T10N R05W S16 NWNE 5.0
5.0 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
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John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

RECOMMENDATION

MAY 10 2008

David B. Smith
SPECIAL MASTER

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
MAY 19 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)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

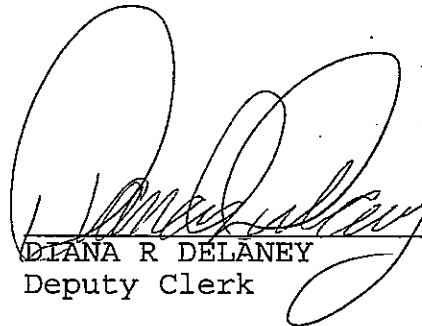
Water Right(s): 67-14480
67-14577 67-14578

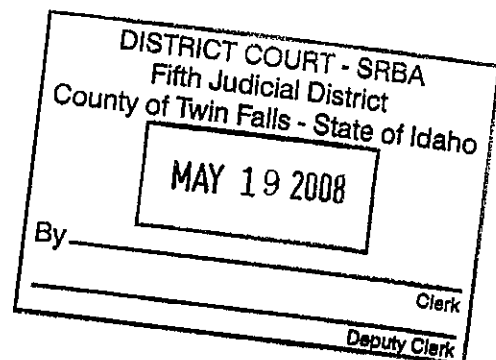
On May 19, 2008, Special Master THEODORE R. BOOTH issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

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 May 19, 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): 67-14480
67-14577 67-14578

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 May 19, 2008, with sufficient first-class postage prepaid to the following:

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

JEANNE M GETTLE
MICHAEL N GETTLE
1410 E 9TH ST
WEISER, ID 83672
Phone: 208-549-3121

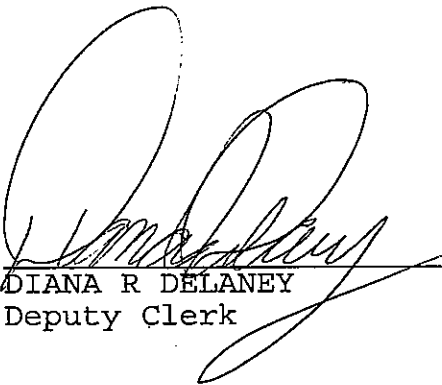
MARK A PORT
255 COGGINS DR #G16
PLEASANT HILL, CA 94523

JUDY MATTERN
ROBERT B MATTERN
380 CLABBY RD
WEISER, ID 83672
Phone: 208-549-0480

CERTIFICATE OF MAILING

PAGE 1
05/19/08

NATALIE BUMGARNER
ROBERT A BUMGARNER
384 CLABBY RD
WEISER, ID 83672
Phone: 208-549-3670



DIANA R DELANEY
Deputy Clerk