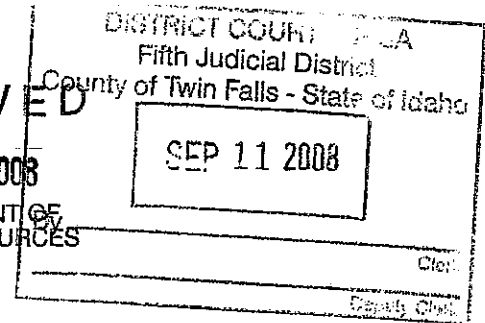


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SEP 12 2008

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

Case No. 39576

) ORDER GRANTING MOTION TO
) ALTER OR AMEND
)
) AMENDED SPECIAL MASTER'S
) REPORT
)
) FOR WATER RIGHT 67-07166

On August 18, 2008, a *Special Master's Report and Recommendation* was issued for the above-captioned water right. On August 27, 2008, the claimant of the water right, Tree Top Ranches, L.P., through its attorney Scott L. Campbell, filed a *Motion to Alter or Amend*, together with the *Affidavit of Scott L. Campbell*. The motion seeks to correct a clerical error in the previously issued *Recommendation*. Specifically, the combined use remark under the Place of Use element in the *Recommendation* mistakenly listed water right 67-7176 rather than 67-7166. Based upon the contents of the *Motion* and *Affidavit*, and good cause appearing, the *Motion* is granted.

Therefore based on the file and record herein, IT IS RECOMMENDED that water right 67-07166 be decreed with the elements as set forth in the attached *Recommendation for Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated

Sept 11, 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)
)
Case No. 39576)
_____)

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

Water Right 67-07166

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

SEP 11 2008

By _____
Deputy Clerk

NAME AND ADDRESS: TREE TOP RANCHES LP
914 HOUSTON RD
BOISE, ID 83706

SOURCE: HOT CREEK TRIBUTARY: DEER CREEK

QUANTITY: 20.00 AFY

PRIORITY DATE: 08/22/1973

POINT OF DIVERSION: T14N R03W S30 SENE Within Washington County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation Storage	03-15 TO 11-15	20.00 AFY
	Irrigation from Storage	03-15 TO 11-15	20.00 AFY

PLACE OF USE:	Irrigation Storage	Within Washington County
	T14N R03W S30	SENE
	Irrigation from Storage	Within Washington County
	T14N R03W S30	NENE 14.6
		SENE 22.0
	41.0 Acres Total	

THE RIGHTS LISTED BELOW ARE LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 41.0 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 67-7066, 67-7070 & 67-7166

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



CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO ALTER OR AMEND AND AMENDED SPECIAL MASTER'S REPORT was mailed on September 11, 2008, with sufficient first-class postage to the following:

TREE TOP RANCHES LP

Represented by:

SCOTT L CAMPBELL

101 S CAPITOL BLVD 10TH FLOOR

PO BOX 829

BOISE, ID 83701-0829

Phone: 208-345-2000

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

TREE TOP RANCHES LP

914 HOUSTON RD

BOISE, ID 83706