

2008 OCT 29 AM 10:55
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 75-14423**
) **(Grey Dog Two, LLC)**
Case No. 39576)
) **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 23, Basin 75* on January 11, 2007. The Director recommended the claim to Grey Dog Two, LLC, 343 Diamond Creek Road, Salmon, Idaho, 83467, for .77 cfs from Fourth of July Creek to irrigate 20 acres in Lemhi County from August 2 to November 1 and April 1 to August 1 with a priority date of April 1, 1896, based on beneficial use.

David Yanoff filed an *Objection* on August 8, 2007, objecting to quantity and place of use. On September 9, 2008, the claimant / objector, with IDWR's concurrence, filed a *Standard Form 5* agreeing to 22 acres.

Conclusions of Law

Grey Dog Two, LLC is entitled to a partial decree adjudicating a water right as described in the *SF-5* and the attached *Special Master Recommendation for Partial Decree for Water Right 75-14423*.

DATED October 29, 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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 75-14423

NAME AND ADDRESS: GREY DOG TWO, LLC
343 DIAMOND CREEK ROAD
SALMON, ID 83467

SOURCE: FOURTH OF JULY CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.77 CFS

PRIORITY DATE: 04/01/1896

POINT OF DIVERSION: T24N R22E S29 NENW Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	08-02 TO 11-01	0.61 CFS
	Irrigation	04-01 TO 08-01	0.77 CFS

PLACE OF USE: Irrigation Within Lemhi County
T24N R22E S30 SENW 7.0 NESW 15.0
22.0 Acres Total

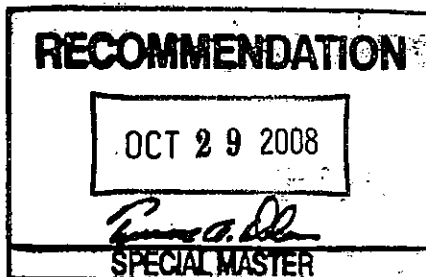
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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



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In Re SRBA)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 75-14423

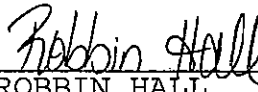
CERTIFICATE OF MAILING

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 October 29, 2008, with sufficient first-class postage prepaid to the following:

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

DAVID YANOFF
343 DIAMOND CREEK RD
SALMON, ID 83467
Phone: 208-303-0354

GREY DOG TWO, LLC
343 DIAMOND CREEK ROAD
SALMON, ID 83467
Phone: 208-756-2248



ROBBIN HALL
Deputy Clerk

CERTIFICATE OF MAILING

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NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

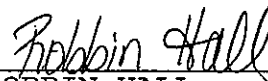
Water Right(s): 75-14423

On October 29, 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 October 29, 2008.



ROBBIN HALL
Deputy Clerk