

INVESTIGATION - SPBA
TWIN FALLS CO., IDAHO
FILED

In Re SRBA	)	SPECIAL MASTER'S REPORT AND
	)	RECOMMENDATION; FINDINGS OF
Case No. 39576	)	FACT AND CONCLUSIONS OF LAW
	)	
	)	FOR WATER RIGHT: 37-2625A
	)	

PAGE 1

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 37-02625A

2008 OCT 30 PM 3:51
FILED
TWIN FALLS CO., IDAHO

NAME AND ADDRESS: REDSTONE PARTNERS LP
1188 EAGLE VISTA CT
RENO, NV 89511

SOURCE: GROUND WATER

QUANTITY: 7.96 CFS
1396.50 AFY

The rights listed below are limited to a total combined diversion rate of 21.85 cfs. Combined Right Nos.: 37-2625A, 37-2638, 37-2700 and 37-21463. Total combined delivery at the field headgates (for surface water rights) and diversion at the wellheads (for ground water rights) for this right along with water right nos. 37-481B, 37-482G, 37-483B, 37-665K, 37-666J, 37-667N, 37-2625A, 37-2638, 37-2700, 37-21463 and 37-22155 shall not exceed a total instantaneous rate of 28.7 cfs (which equates to 0.02 cfs per acre over the combined permissible places of use for these water rights totaling 1,435.1 acres).

Total volume of water delivered to the field from this right along with water right nos. 37-481B, 37-482G, 37-483B, 37-665K, 37-666J, 37-667N, 37-2625A, 37-2638, 37-2700, 37-21463 and 37-22155 shall not exceed 5,022.9 acre-feet per year (which equates to 3.5 acre-feet per acre over the combined permissible places of use for these water rights totaling 1,435.1 acres).

PRIORITY DATE: 11/13/1959

POINT OF DIVERSION: T01N R19E S17 NWSWNW Within Blaine County
S20 NENENW
S28 SWSSENW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	7.96 CFS
			1396.50 AFY

PLACE OF USE:	Irrigation	Within Blaine County
T01N R19E S17	SWNE 38.0	SNNW 34.0
	SENE 40.0	NESW 40.0
	NWSW 34.0	SWSW 40.0
	SESW 35.0	NESE 11.0
	NWSE 40.0	SWSE 40.0
	SESE 22.0	
S20	NENE 39.0	NWNE 39.0
	SWNE 19.0	SENE 40.0
	NENW 37.0	NWNW 40.0
	NESE 35.0	NWSE 1.3
	SESE 13.0	
S21 LOT 8	(NWNW) 10.0	LOT 9 (SNNW) 9.0
LOT 11	(NWSW) 24.0	SWSW 36.0
LOT 12	(SESW) 1.2	
S27	NENE 11.0	NWNE 9.0
	SWNE 40.0	SENE 11.0
	SNNW 13.0	SENE 30.0
	NESW 40.0	NWSW 38.0
	SWSW 40.0	SESW 30.0

PLACE OF USE (continued)

	NESE 3.8	NWSE 36.0
	SWSE 4.0	
S28	SWNE 14.0	SENE 4.0
	NENW 13.0	NWNW 29.0
	SWNW 6.4	SENE 37.0
	NESW 22.0	SESW 2.2
	NESE 39.0	NWSE 39.0
	SWSE 36.0	SESE 40.0
S33	NENE 40.0	NWNE 14.0
	SENE 30.0	
S34	NENW 0.2	NWNW 31.0
	SWNW 15.0	

1435.1 Acres Total

This right is limited to the irrigation of 399 acres within the place of use described above in a single irrigation season. Right Nos. 37-481B, 37-482G, 37-483B, 37-665K, 37-666J, 37-667N, 37-2625A, 37-2638, 37-2700, 37-21463 and 37-22155 are limited to the irrigation of a combined total of 1435.1 acres in a single irrigation season.

Right Nos. 37-2625A, 37-2638, 37-2700 and 37-21463 are limited to the irrigation of a combined total of 1435.1 acres in a single irrigation season.

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

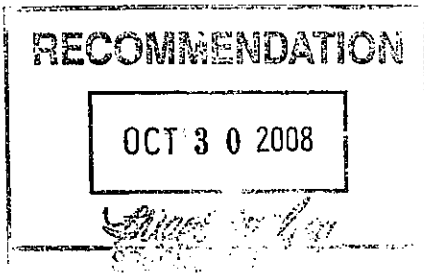
The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

If the surface water rights appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

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

2008 OCT 30 PM 3:51

TWIN FALLS DIST-SF3A
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

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)
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)
NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

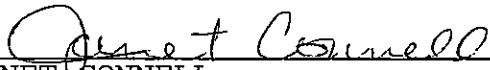
Water Right(s): 37-02625A

On October 30, 2008, Special Master BRIGETTE BILYEU 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 30, 2008.



JANET CONNELL
Deputy Clerk

2008 OCT 30 PM 3: 51

RECEIVED
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

CERTIFICATE OF MAILING

Water Right(s): 37-02625A

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 30, 2008, with sufficient first-class postage prepaid to the following:

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

BILL MOLYNEUX
GERALD BASHAW
GRACE EAKIN
JOHN F STEVENSON
PEPIN CORSO-HARRIS
PETE VAN DER MEULEN
ROCKY SHERBINE
TOM O GARA

Represented by:
ALBERT P BARKER
1010 W JEFFERSON, STE 102
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

CERTIFICATE OF MAILING

PAGE 1
10/30/08

BIG WOOD CANAL COMPANY

Represented by:

CRAIG D. HOBDEY

125 5TH AVE

PO BOX 176

GOODING, ID 83330

Phone: 208-934-4429

REDSTONE PARTNERS LP

Represented by:

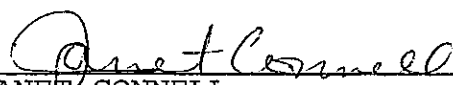
JEFFREY C FEREDAY

601 W BANNOCK ST

PO BOX 2720

BOISE, ID 83701-2720

Phone: 208-388-1200



JANET CONNELL
Deputy Clerk