

2008 OCT 30 PM 4:14

FILED  
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

Case No. 39576

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

FOR WATER RIGHT: 37-2625B

RECEIVED

OCT 31 2008

DEPARTMENT OF  
WATER RESOURCES

I. FINDINGS OF FACT

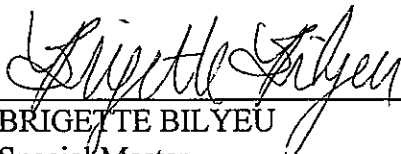
A notice of claim was filed for this water right pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources examined the water system for this reporting area. The *Director's Report* contained a recommendation for the elements of this water right.

*Objections* were filed by Tom O'Gara, John Stevenson, Bill Molyneux, Pete Van Der Muelen, Grace Eakin, Rocky Sherbine, Gerald Bashaw, Pepin Corso-Harris and Big Wood Canal Company on November 14, 2007. A *Response* was filed by Sinclair Oil Corporation on December 31, 2007. A *Stipulation to Withdraw Objections and Response* was filed on September 22, 2008. All parties were signatories to the *Stipulation*. The Court granted the withdrawal of the *Objections* and *Response*. *Order Granting Withdrawal of Objections and Response Without Prejudice*. (October 30, 2008) There are no remaining objections or responses in this subcase.

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*.

DATED: October 30, 2008.

  
BRIGETTE BILYEU  
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 37-02625B

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TWIN FALLS CO., IDAHO

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

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DEPARTMENT OF  
WATER RESOURCES

SOURCE: GROUND WATER

QUANTITY: 0.04 CFS  
6.30 AFY

PRIORITY DATE: 11/13/1959

POINT OF DIVERSION: T01N R19E S27 NWNWSW Within Blaine County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY             |
|-------------------------------|----------------|----------------|----------------------|
|                               | Irrigation     | 04-01 TO 11-01 | 0.04 CFS<br>6.30 AFY |

PLACE OF USE: Irrigation Within Blaine County  
T01N R19E S27 NWSW 1.8  
1.8 Acres Total

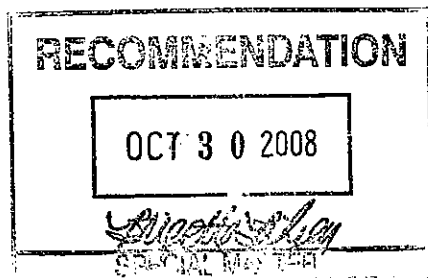
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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



OCT 31 2003

DEPARTMENT OF  
WATER RESOURCES

1. DATE 11/11/2010

NOTICE OF ISSUANCE OF  
SPECIAL MASTER'S  
RECOMMENDATION

Water Right(s) : 37-02625B

DATED October 30, 2008.

Janet Connell  
JANET CONNELL  
Deputy Clerk

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DEPARTMENT OF  
WATER RESOURCES

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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): 37-02625B

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

SINCLAIR OIL CORPORATION

Represented by:  
ANDREW J WALDERA  
101 S CAPITOL BLVD 10TH FLOOR  
PO BOX 829  
BOISE, ID 83701-0829  
Phone: 208-345-2000

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

SINCLAIR OIL CORPORATION

Represented by:  
SCOTT L CAMPBELL  
101 S CAPITOL BLVD 10TH FLOOR  
PO BOX 829  
BOISE, ID 83701-0829  
Phone: 208-345-2000

  
\_\_\_\_\_  
JANET CONNELL  
Deputy Clerk