

RECEIVED

NOV - 4 2008

Department of Water Resources
Adjudication Bureau

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
NOV - 3 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

) SPECIAL MASTER'S REPORT
)
) FINDINGS OF FACT AND
) CONCLUSIONS OF LAW
)
) FOR WATER RIGHTS 63-03252,
) 63-07105, 63-07978, 63-08331, 63-08332,
) 63-09849, 63-10105, and 63-32567

I. FINDINGS OF FACT

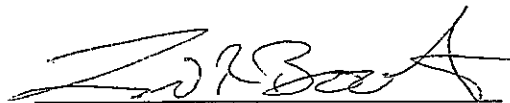
Notices of claim were filed for the above-captioned water rights pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources (IDWR) examined the water system for this reporting area. The *Director's Report* contained a recommendation or abstract for the elements of these water rights.

On April 25, 2007, the claimant of the water rights, the City of Meridian, through its attorney Charles L. Honsinger, filed an objection to the *Director's Report* for each water right. On October 1, 2008, the parties filed a *Standard Form 5 – Stipulated Elements of a Water Right* in each of the subcases, which resolved the objections. The Idaho Department of Water Resources concurred with the stipulations.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein and pursuant to the *Standard Forms 5*, IT IS RECOMMENDED that water rights 63-03252, 63-07105, 63-07978, 63-08331, 63-08332, 63-09849, 63-10105, and 63-32567 be decreed with the elements as set forth in the attached *Recommendations for Partial Decrees Pursuant to I.R.C.P. 54(b)*.

Dated Nov 3, 2008



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 63-03252

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho NOV - 3 2008 By _____ Clerk _____ Deputy Clerk
--

NAME AND ADDRESS: CITY OF MERIDIAN
33 E IDAHO AVE
MERIDIAN, ID 83642

SOURCE: GROUND WATER

QUANTITY: 1.66 CFS

PRIORITY DATE: 08/03/1961

POINT OF DIVERSION: T03N R01E S06 NWSE Within Ada County
S07 NESW
NWSW
LOT 3 (NWSW)
S08 LOT 3 (SESW)
S18 NWNW
R01W S01 LOT 1 (SWSE)
S12 NENW
SWSE
SESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE Municipal	PERIOD OF USE 01-01 TO 12-31	QUANTITY 1.66 CFS
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PLACE OF USE: Place of use is within the service area of the City of Meridian,
municipal water supply system as provided for under Idaho Law.

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

To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, ground water was first diverted under this right from Meridian Well No. 5 located in T3N, R1E, Sec. 07, NESW.

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

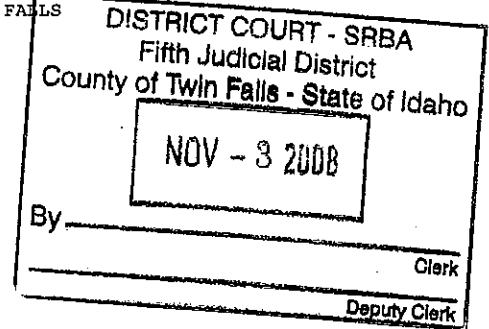
RECOMMENDATION

NOV - 4 2008

Joe R. Booth
SPECIAL MASTER

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 63-07105



NAME AND ADDRESS: CITY OF MERIDIAN
33 E IDAHO AVE
MERIDIAN, ID 83642

SOURCE: GROUND WATER

QUANTITY: 0.70 CFS

PRIORITY DATE: 05/13/1968

POINT OF DIVERSION: T03N R01E S06 NWSE Within Ada County
S07 NESW
LOT 3 (NWSW)
LOT 3 (NWSW)
S08 SESW
S18 LOT 1 (NWSW)
R01W S01 SWSE
S12 NENW
SWSE
SESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Municipal	01-01 TO 12-31	0.70 CFS

PLACE OF USE: Place of use is within the service area of the City of Meridian municipal water supply system as provided for under Idaho Law.

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

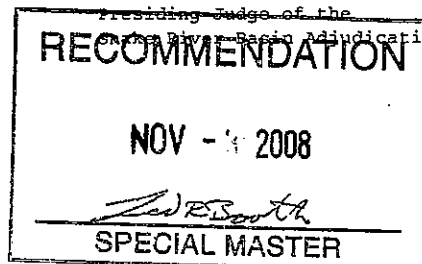
To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, ground water was first diverted under this right from Meridian Well No. 6 located in T3N, R1W, Sec. 12, NENW.

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

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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)
)
Case No. 39576)
_____)

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

Water Right 63-07978

DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
NOV - 3 2008	
By _____	Clerk
Deputy Clerk	

NAME AND ADDRESS: CITY OF MERIDIAN
33 E IDAHO AVE
MERIDIAN, ID 83642

SOURCE: GROUND WATER

QUANTITY: 1.91 CFS

PRIORITY DATE: 05/10/1974

POINT OF DIVERSION: T03N.R01E S06 NWSE Within Ada County
S07 NESW
LOT 3 (NWSW)
LOT 3 (NWSW)
S08 SESW
S18 LOT 1 (NWNW)
R01W S01 SWSE
S12 NENW
SWSE
SESE

PURPOSE AND			
PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Municipal	01-01 TO 12-31	1.91 CFS

PLACE OF USE: Place of use is within the service area of the City of Meridian
municipal water supply system as provided for under Idaho Law.

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

To the extent necessary for administration between points of
diversion for ground water, and between points of diversion for
ground water and hydraulically connected surface sources, ground
water was first diverted under this right from Meridian Well No.
7 located in T3N, R1W, Sec. 1, SWSE.

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 County of Twin Falls, Idaho
RECOMMENDATION
NOV - 3 2008
<i>John M. Melanson</i>
SPECIAL MASTER

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 63-08331

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
NOV - 3 2008	
By _____	Clerk
_____ Deputy Clerk	

NAME AND ADDRESS: CITY OF MERIDIAN
33 E IDAHO AVE
MERIDIAN, ID 83642

SOURCE: GROUND WATER

QUANTITY: 1.89 CFS

PRIORITY DATE: 06/28/1976

POINT OF DIVERSION:	T03N R01E S06	NWSE	Within Ada County
	S07	NESW	
	LOT 3	(NWSW)	
	LOT 3	(NWSW)	
	S08	SESW	
	S18 LOT 1	(NWNW)	
	R01W S01	SWSE	
	S12	NENW	
		SWSE	
		SESE	

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Municipal	01-01 TO 12-31	1.89 CFS

PLACE OF USE: Place of use is within the service area of the City of Meridian
municipal water supply system as provided for under Idaho Law.

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

To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, ground water was first diverted under this right from Meridian Well No. 9 located in T3N, R1W, Sec. 12, SWSE.

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

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John M. Melanson

Presiding Judge of the
County of Twin Falls, Idaho

RECOMMENDATION

NOV - 3 2008

John M. Melanson
SPECIAL MASTER

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 63-08332

DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
NOV - 3 2008	
By _____	Clerk
_____	Deputy Clerk

NAME AND ADDRESS: CITY OF MERIDIAN
33 E IDAHO AVE
MERIDIAN, ID 83642

SOURCE: GROUND WATER

QUANTITY: 2.00 CFS

PRIORITY DATE: 06/28/1976

POINT OF DIVERSION: T03N R01E S06 NWSE Within Ada County
S07 NESW
LOT 3 (NWSW)
LOT 3 (NWSW)
S08 SESW
S18 LOT 1 (NWNW)
R01W S01 SWSE
S12 NENW
SWSE
SESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Municipal	01-01 TO 12-31	2.00 CFS

PLACE OF USE: Place of use is within the service area of the City of Meridian
municipal water supply system as provided for under Idaho Law.

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

To the extent necessary for administration between points of
diversion for ground water, and between points of diversion for
ground water and hydraulically connected surface sources, ground
water was first diverted under this right from Meridian Well No.
10 located in T3N, R1E, Sec. 6, NWSE.

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
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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
State of Idaho in and for the County of Twin Falls

RECOMMENDATION

NOV - 3 2008

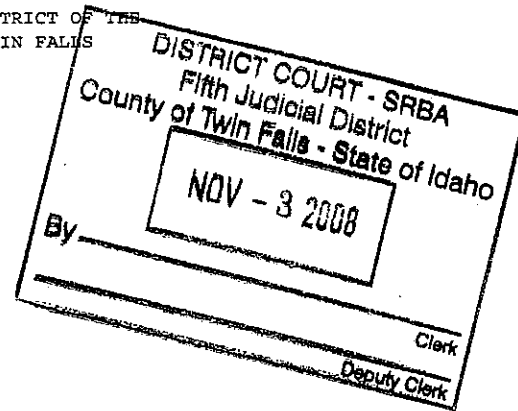
David B. Booth
SPECIAL MASTER

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 63-09849



NAME AND ADDRESS: CITY OF MERIDIAN
33 E IDAHO AVE
MERIDIAN, ID 83642

SOURCE: GROUND WATER

QUANTITY: 1.67 CFS

PRIORITY DATE: 12/22/1981

POINT OF DIVERSION: T03N R01E S06 NWSE Within Ada County
S07 NESW
LOT 3 (NWSW)
LOT 3 (NWSW)
S08 SESW
S18 LOT 1 (NWNW)
R01W S01 SWSE
S12 NENW
SWSE
SESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Municipal	01-01 TO 12-31	1.67 CFS

PLACE OF USE: Place of use is within the service area of the City of Meridian,
municipal water supply system as provided for under Idaho Law.

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

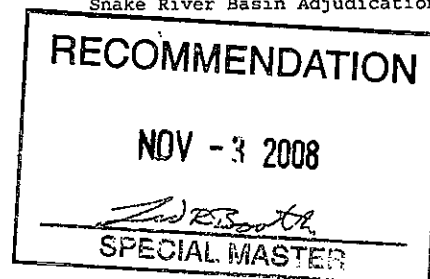
To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, ground water was first diverted under this right from Meridian Well No. 8 located in T3N, R1E, S18, NWNW (Lot 1).

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

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

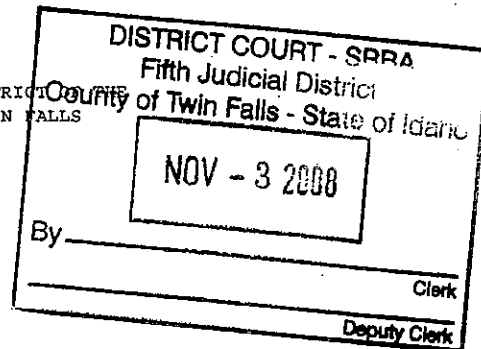


IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
)
Case No. 39576)
_____)

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

Water Right 63-10105



NAME AND ADDRESS: CITY OF MERIDIAN
33 E IDAHO AVE
MERIDIAN, ID 83642

SOURCE: GROUND WATER

QUANTITY: 2.80 CFS

PRIORITY DATE: 06/29/1983

POINT OF DIVERSION: T03N R01E S06 NWSE Within Ada County
S07 NESW
LOT 3 (NWSW)
LOT 3 (NWSW)
S08 SESW
S18 LOT 1 (NWNW)
R01W S01 SWSE
S12 NENW
SWSE
SESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Municipal	01-01 TO 12-31	2.80 CFS

PLACE OF USE: Place of use is within the service area of the City of Meridian,
municipal water supply system as provided for under Idaho Law.

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

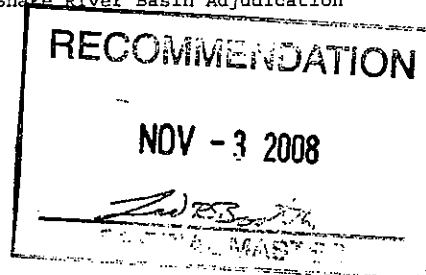
To the extent necessary for administration between points of diversion for ground water, and between points of diversion for ground water and hydraulically connected surface sources, ground water was first diverted under this right from Meridian Well No. 11 located in T3N, R1E, S08, SESW.

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

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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)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 63-32567

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
NOV - 3 2008	
By _____	Clerk
Deputy Clerk	

NAME AND ADDRESS: CITY OF MERIDIAN
33 E IDAHO
MERIDIAN, ID 83642

SOURCE: GROUND WATER

QUANTITY: 1.67 CFS

PRIORITY DATE: 08/05/1910

POINT OF DIVERSION: T03N R01E S06 NWSE Within Ada County
 S07 NESW
 LOT 3 (NWSW)
 LOT 3 (NWSW)
 S08 SESW
 S18 LOT 1 (NWNW)
 R01W S01 SWSE
 S12 NENW
 SWSE
 SESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Municipal	01-01 TO 12-31	1.67 CFS

PLACE OF USE:
Place of use is within the service area of the City of Meridian
municipal water supply system as provided for under Idaho Law.

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

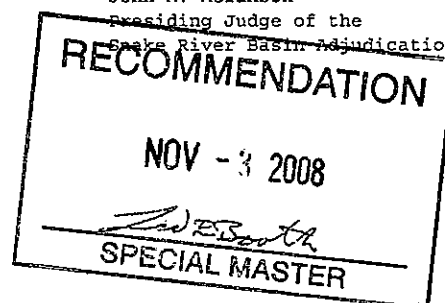
To the extent necessary for administration between points of
diversion for ground water, and between points of diversion for
ground water and hydraulically connected surface sources, ground
water was first diverted under this right from Meridian Well No.
1, located in T03N, R01E, S07, NWSW (Lot 3).

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

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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



DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
NOV - 3 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

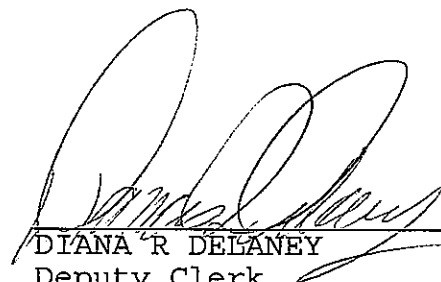
Water Right(s): 63-03252
63-07105 63-07978 63-08331
63-08332 63-09849 63-10105
63-32567

On November 03, 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.

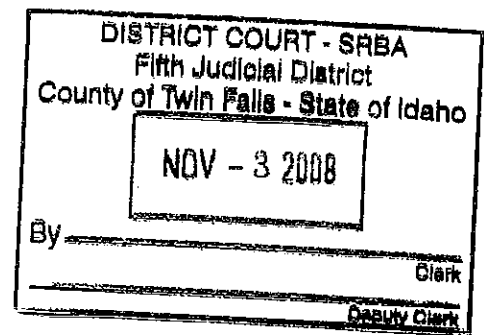
Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

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 November 03, 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) : 63-03252
63-07105 63-07978 63-08331
63-08332 63-09849 63-10105
63-32567

CERTIFICATE OF MAILING

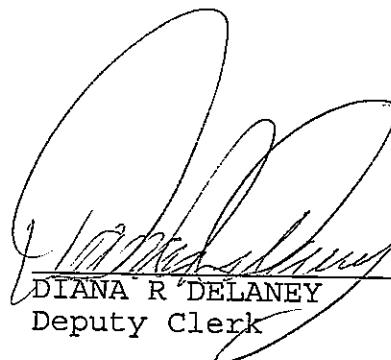
I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on November 03, 2008, with sufficient first-class postage prepaid to the following:

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

CITY OF MERIDIAN

Represented by:
CHARLES L. HONSINGER
455 S THIRD ST
PO BOX 2773
BOISE, ID 83701-2773
Phone: 208-342-4591

CERTIFICATE OF MAILING


DIANA R DELANEY
Deputy Clerk

PAGE 1
11/03/08