

RECEIVED

NOV 26 2008

DEPARTMENT OF
WATER RESOURCES

OFFICE OF CLERK - LARA
TWIN FALLS COUNTY IDAHO
FILED _____

2008 NOV 25 PM 4 29

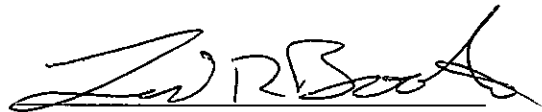
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA) AMENDED SPECIAL MASTER'S
Case No. 39576) REPORT and AMENDED
) RECOMMENDATION
)
) FOR WATER RIGHT 63-07105

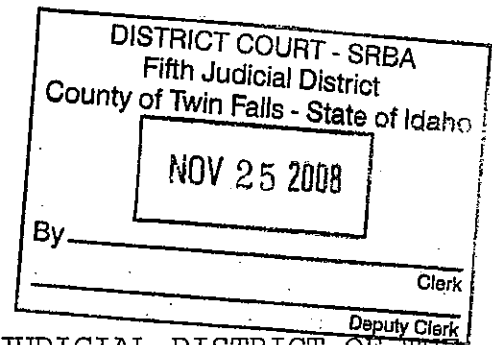
On November 3, 2008, this Special Master issued a *Special Master's Report and Findings of Fact and Conclusions of Law for Water Rights 63-03252, 63-07105, 63-07978, 63-08331, 63-08332, 63-9849, 63-10105, and 63-32567*. On November 12, 2008, the Idaho Department of Water Resources contacted the court regarding a clerical error in the description of the point of diversion for water right 63-07105. Upon review the *Standard Form 5* filed October 1, 2008, this court finds that the point of diversion described in the *Special Master's Report and Recommendation* was in error.

Therefore based on the file and record herein and pursuant to the *Standard Form 5*, IT IS RECOMMENDED that water right 63-07105 be **decreed** with the elements as set forth in the attached *Amended Recommendation for Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated Nov. 25, 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)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

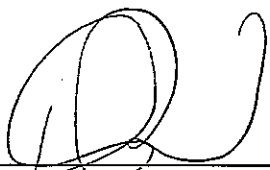
Water Right(s): 63-07105

On November 25, 2008, Special Master JOHN M MELANSON issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

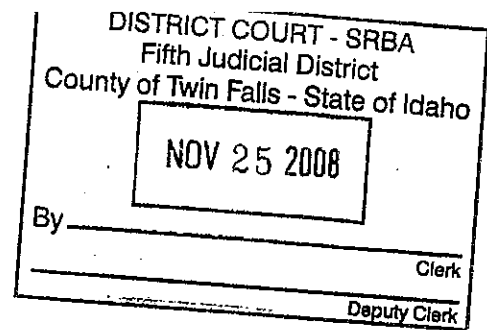
Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

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 25, 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): 63-07105

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 25, 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

A handwritten signature in black ink, appearing to read "Diana R. Delaney", written over a horizontal line.

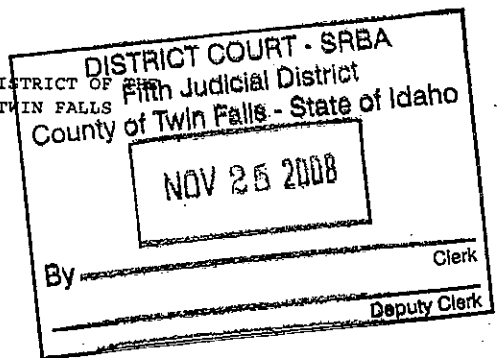
DIANA R. DELANEY
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
11/25/08

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

AMENDED



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 (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	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

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

