

DEC 15 2008

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

DEC 11 2008

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

DISTRICT OF THE  
TWIN FALLS

DEC 11 2008

By \_\_\_\_\_ Clerk  
\_\_\_\_\_  
Deputy Clerk

By \_\_\_\_\_ Clerk  
\_\_\_\_\_  
Deputy Clerk

PAGE 1  
Dec-10-2008

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

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

DEC 11 2008

In Re SRBA )  
 ) PARTIAL DECREE PURSUANT TO  
 ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
 )  
 ) Water Right 37-22282

By \_\_\_\_\_ Clerk  
Deputy Clerk

NAME AND ADDRESS: FLYING TRIANGLE INC  
C/O WILLIAM N BRAILSFORD  
PO BOX 180  
HAGERMAN, ID 83332

SOURCE: JUMBO CANYON CREEK TRIBUTARY: CAMP CREEK

QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THE FOLLOWING RIGHTS SHALL NOT EXCEED  
A COMBINED TOTAL DIVERSION RATE OF 0.02 CFS AND A COMBINED TOTAL  
QUANTITY OF 13,000 GALLONS PER DAY. COMBINED RIGHT NOS: 37-22281  
& 37-22282.

PRIORITY DATE: 03/27/1894

POINT OF DIVERSION: T01N R16E S01 NWNWNW (Instream Beginning Point) Within Blaine County  
SWNWSE (Instream Ending Point)  
T02N R16E S25 SWSWNW (Instream Beginning Point)  
SESWSW (Instream Ending Point)  
S35 SENESE (Instream Beginning Point)  
LOT 1 (NESESE) (Instream Ending Point)

| PURPOSE AND    | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|----------------|----------------|----------------|----------|
| PERIOD OF USE: | Stockwater     | 01-01 TO 12-31 | 0.02 CFS |

| PLACE OF USE: | Stockwater    | Within Blaine County |
|---------------|---------------|----------------------|
|               | T01N R16E S01 | NWNW LOT 2 (SWNW)    |
|               | LOT 1 (SENW)  | NESW                 |
|               | NWSE          |                      |
|               | T02N R16E S25 | SWNW NWSW            |
|               | SWSW          |                      |
|               | S35 NESE      | LOT 1 (SESE)         |

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

The quantity of water decreed for this water right is not a  
determination of historical beneficial use.

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).

RECOMMENDATION

DEC 11 2008

*Wendy J. Lay*  
SPECIAL MASTER

|                                                                                         |                       |
|-----------------------------------------------------------------------------------------|-----------------------|
| DISTRICT COURT-SRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho |                       |
| DEC 11 2008                                                                             |                       |
| By _____                                                                                | Clerk<br>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) : 37-20475  
37-22281 37-22282

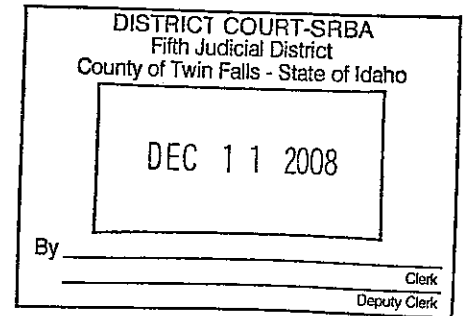
On December 11, 2008, Special Master BRIGETTE BILYEU issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

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 December 11, 2008.

  
JANET CONNELL  
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): 37-20475  
37-22281 37-22282

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 December 11, 2008, with sufficient first-class postage prepaid to the following:

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

FLYING TRIANGLE INC  
Represented by:  
PAUL L ARRINGTON  
113 MAIN AVE W, STE 303  
PO BOX 485  
TWIN FALLS, ID 83303-0485  
Phone: 208-733-0700

UNITED STATES OF AMERICA  
Represented by:  
US DEPARTMENT OF JUSTICE  
ENVIRONMENT & NATL' RESOURCES  
550 WEST FORT STREET, MSC 033  
BOISE, ID 83724

CERTIFICATE OF MAILING

 PAGE 1  
JANET CONNELL 12/11/08  
Deputy Clerk