RECEIVED
JAN 16 2009
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho
JAN 15 2009
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	)	**SPECIAL MASTER'S REPORT**
	)	
Case No. 39576	)	**FINDINGS OF FACT AND**
	)	**CONCLUSIONS OF LAW**
	)	
	)	**FOR WATER RIGHTS 67-00050A,**
	)	**67-00055, 67-00065, 67-00073B, 67-00074B,**
	)	**67-00373B, 67-00375A, and 67-11304A**

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. The *Director's Report* recommended that water right claim 67-00050A be disallowed.

On August 22, 2007, the claimant of the water rights, South Ranch Ventures, LLC, through its attorney Michael Lawrence, filed objections to the *Director's Report* for each claim. On December 16, 2008, the parties filed a *Standard Form 5 – Stipulated Elements of a Water Right* in each subcase, 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 67-00050A, 67-00055, 67-00065, 67-00073B, 67-00074B, 67-00373B, 67-00375A, and 67-11304A be **decreed** with the elements as set forth in the attached ***Recommendations for Partial Decrees Pursuant to I.R.C.P. 54(b).***

Dated Jan. 15, 2009

Theodore R. Booth
Special Master
Snake River Basin Adjudication

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho
JAN 15 2009
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): 67-00050A 67-00055 67-00065 67-00073B 67-00074B 67-00373B 67-00375A 67-11304A

On January 15, 2009, 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 January 15, 2009.

DIANA R DELANEY
Deputy Clerk

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho
JAN 15 2009
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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 67-00050A
67-00055 67-00065 67-00073B
67-00074B 67-00373B 67-00375A
67-11304A

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 January 15, 2009, with sufficient first-class postage prepaid to the following:

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

SOUTH RANCH VENTURES LLC
Represented by:
MICHAEL P LAWRENCE
PO BOX 2720
BOISE, ID 83701
Phone: 208-388-1200

SOUTH RANCH VENTURES LLC
PO BOX 44
COUNCIL, ID 83612
Phone: 208-253-6023

DIANA R DELANEY
Deputy Clerk

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho
JAN 15 2009
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	)	PARTIAL DECREE PURSUANT TO
	)	I.R.C.P. 54(b) FOR
Case No. 39576	)	
	)	Water Right 67-00074B

NAME AND ADDRESS: SOUTH RANCH VENTURES LLC
PO BOX 44
COUNCIL, ID 83612

SOURCE: WEISER RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.078 CFS

PRIORITY DATE: 05/01/1916

POINT OF DIVERSION: T17N R01W S04 LOT 1 (SWNENE) Within Adams County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	03-15 TO 11-15	0.078 CFS

PLACE OF USE: Irrigation

			Within Adams County
T17N R01W S14		SWSW 28.0	SESW 15.0
	S23	NWNE 0.4	SWNE 6.9
		NENW 14.0	NWNW 36.0
		SWNW 37.0	SENW 23.0
		NESW 2.2	

162.5 Acres Total

The rights listed below are limited to the irrigation of a combined total of 162.5 acres in a single irrigation season. Combined Right Nos.: 67-50A, 67-55, 67-65, 67-73B, 67-74B, 67-373B, 67-375A, and 67-11304A
This right is limited to the irrigation of 6.2 acres within the place of use described above in a single irrigation season.

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

RECOMMENDATION
JAN 15 2009
SPECIAL MASTER