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MAR 24 2009

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
MAR 23 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 67-00311,
) 67-00315, 67-00316, 67-00317,
) and 67-04102

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.

Although no objections were filed to the *Director's Report* for these claims, they were identified by IDWR as uncontested claims that may be affected by the outcome of contested right 67-04103. On September 2, 2008, the parties filed a *Standard Form 5 – Stipulated Elements of a Water Right* in subcase 67-04103 which resolved the objection. The Idaho Department of Water Resources concurred with the stipulation.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein, IT IS RECOMMENDED that water rights 67-00311, 67-00315, 67-00316, 67-00317, and 67-04102 be decreed with the elements as set forth in the attached *Recommendations for Partial Decrees Pursuant to I.R.C.P. 54(b)*.

Dated March 23, 2009



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

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

MAR 23 2009

By _____
Clerk
Deputy Clerk

In Re SRBA)
)
Case No. 39576)
)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 67-00311

NAME AND ADDRESS: JAMES A RENWICK
MARGARET F RENWICK
PO BOX 514
COUNCIL, ID 83612

SOURCE: COTTONWOOD CREEK TRIBUTARY: WEISER RIVER

QUANTITY: 0.45 CFS

The rights listed below are limited to a total combined
diversion rate of 3.42 cfs. Combined Right Nos.: 67-311, 67-315,
67-316, 67-317, 67-4102, and 67-10892

PRIORITY DATE: 09/06/1884

POINT OF DIVERSION: T16N R01W S26 NENWSW (Injection) Within Adams County
NWNWSW (Rediversion)
SWSWSW
S27 SESWNE (Rediversion)
SESENW (Rediversion)
S36 NENWNW

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 03-15 TO 11-15 0.45 CFS

PLACE OF USE: Irrigation Within Adams County
T16N R01W S27 SWNE 33.0 SENW 14.0
NESW 12.0 NWSW 4.1
SWSW 29.0 SESW 37.0
NESE 26.0 NWSE 35.0
S28 SESE 0.6
S34 NENW 7.4 NWNW 2.7
200.8 Acres Total

The rights listed below are limited to the irrigation of a
combined total of 171.2 acres in a single irrigation season.
Combined Right Nos.: 67-311, 67-315, 67-316, 67-317, 67-4102,
and 67-10892

This right is limited to the irrigation of 36.0 acres within the
place of use described above in a single irrigation season.

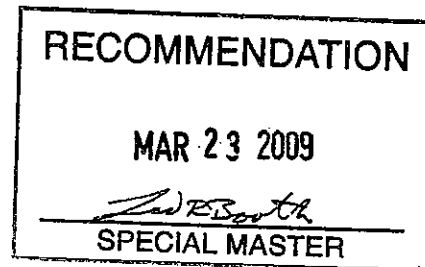
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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).

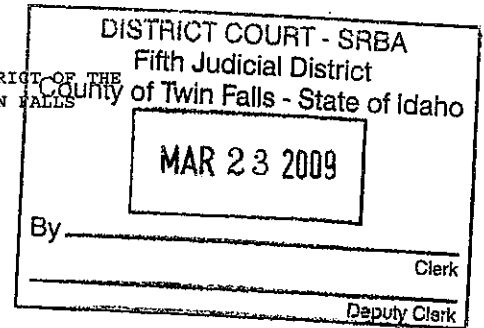
RULE 54(b) CERTIFICATE

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



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 67-00315

NAME AND ADDRESS: JAMES A RENWICK
MARGARET F RENWICK
PO BOX 514
COUNCIL, ID 83612

SOURCE: COTTONWOOD CREEK TRIBUTARY: WEISER RIVER

QUANTITY: 0.63 CFS

The rights listed below are limited to a total combined
diversion rate of 3.42 cfs. Combined Right Nos.: 67-311, 67-315,
67-316, 67-317, 67-4102, and 67-10892

PRIORITY DATE: 06/01/1887

POINT OF DIVERSION:	T16N R01W S26	NWNWSW (Rediversion)	Within Adams County
		NENWSW (Injection)	
		SWSWSW	
	S27	SESWNE (Rediversion)	
		SESENW (Rediversion)	
	S36	NENWNW	

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.63 CFS

PLACE OF USE:	Irrigation	Within Adams County
	T16N R01W S27	SWNE 33.0 SENW 14.0
		NESW 12.0 NWSW 4.1
		SWSW 29.0 SESW 37.0
		NESE 26.0 NWSE 35.0
	S28	SESE 0.6
	S34	NENW 7.4 NWNW 2.7
	200.8 Acres Total	

The rights listed below are limited to the irrigation of a
combined total of 171.2 acres in a single irrigation season.
Combined Right Nos.: 67-311, 67-315, 67-316, 67-317, 67-4102,
and 67-10892

This right is limited to the irrigation of 50.4 acres within the
place of use described above in a single irrigation season.

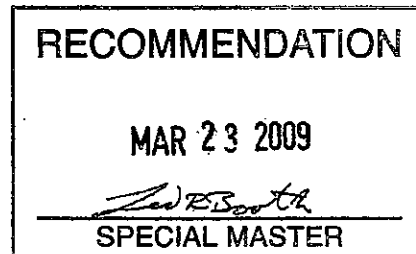
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

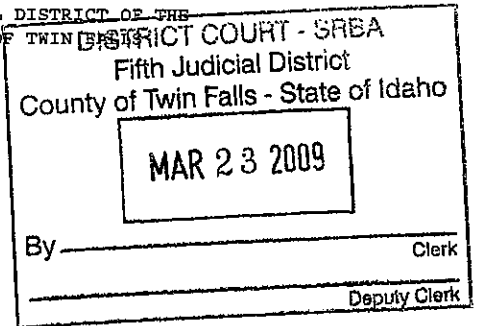
John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication



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 67-00316



NAME AND ADDRESS: JAMES A RENWICK
MARGARET F RENWICK
PO BOX 514
COUNCIL, ID 83612

SOURCE: COTTONWOOD CREEK TRIBUTARY: WEISER RIVER

QUANTITY: 0.31 CFS

The rights listed below are limited to a total combined
diversion rate of 3.42 cfs. Combined Right Nos.: 67-311, 67-315,
67-316, 67-317, 67-4102, and 67-10892

PRIORITY DATE: 06/01/1888

POINT OF DIVERSION:	T16N R01W S26	NENWSW (Injection)	Within Adams County
		NWNWSW (Rediversion)	
		SWSWSW	
	S27	SESWNE (Rediversion)	
	S36	SESENW (Rediversion)	
		NENWNW	

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.31 CFS

PLACE OF USE:	Irrigation	Within Adams County
	T16N R01W S27	SWNE 33.0 SENW 14.0
		NESW 12.0 NWSW 4.1
		SWSW 29.0 SESW 37.0
		NESE 26.0 NWSE 35.0
	S28	SESE 0.6
	S34	NENW 7.4
	200.8 Acres Total	

The rights listed below are limited to the irrigation of a
combined total of 171.2 acres in a single irrigation season.
Combined Right Nos.: 67-311, 67-315, 67-316, 67-317, 67-4102,
and 67-10892

This right is limited to the irrigation of 24.8 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

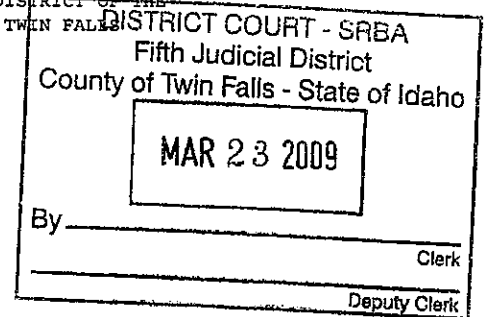
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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



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 67-00317



NAME AND ADDRESS: JAMES A RENWICK
MARGARET F RENWICK
PO BOX 514
COUNCIL, ID 83612

SOURCE: COTTONWOOD CREEK TRIBUTARY: WEISER RIVER

QUANTITY: 0.75 CFS

The rights listed below are limited to a total combined
diversion rate of 3.42 cfs. Combined Right Nos.: 67-311, 67-315,
67-316, 67-317, 67-4102, and 67-10892

PRIORITY DATE: 06/01/1889

POINT OF DIVERSION:	T16N R01W S26	NWNWSW (Rediversion)	Within Adams County
		NENWSW (Injection)	
		SWSWSW	
	S27	SESWNE (Rediversion)	
		SESENW (Rediversion)	
	S36	NENWNW	

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.75 CFS

PLACE OF USE:	Irrigation	Within Adams County
	T16N R01W S27	SWNE 33.0 SENW 14.0
		NESW 12.0 NWSW 4.1
		SWSW 29.0 SESW 37.0
		NESE 26.0 NWSE 35.0
	S28	SESE 0.6
	S34	NENW 7.4 NWNW 2.7
	200.8 Acres Total	

The rights listed below are limited to the irrigation of a
combined total of 171.2 acres in a single irrigation season.
Combined Right Nos.: 67-311, 67-315, 67-316, 67-317, 67-4102,
and 67-10892

This right is limited to the irrigation of 60.0 acres within the
place of use described above in a single irrigation season.

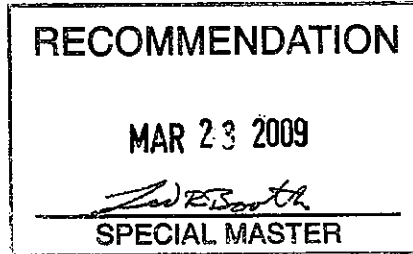
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

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

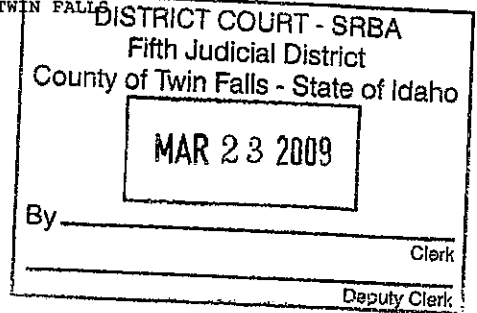


IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

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

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

Water Right 67-04102



NAME AND ADDRESS: JAMES A RENWICK
MARGARET F RENWICK
PO BOX 514
COUNCIL, ID 83612

SOURCE: COTTONWOOD CREEK TRIBUTARY: WEISER RIVER

QUANTITY: 1.28 CFS

The rights listed below are limited to a total combined
diversion rate of 3.42 cfs. Combined Right Nos.: 67-311, 67-315,
67-316, 67-317, 67-4102, and 67-10892
The quantity of water under this right for stockwater use shall
not exceed 13,000 gallons per day.

PRIORITY DATE: 05/10/1918

POINT OF DIVERSION: T16N R01W S26W NENWSW (Injection) Within Adams County
NWNWSW (Rediversion)
SWSWSW
S27 SESWNE (Rediversion)
SESENW (Rediversion)
S36 NENWNW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	1.28 CFS
	Stockwater	01-01 TO 12-31	0.09 CFS

PLACE OF USE: Irrigation Within Adams County

T16N R01W S27	SWNE 33.0	SENE 14.0
	NESW 12.0	NWSW 4.1
	SWSW 29.0	SESW 37.0
	NESE 26.0	NWSE 35.0
S28	SESE 0.6	
S34	NENW 7.4	NWNW 2.7
200.8 Acres Total		

Stockwater Within Adams County
Same as Irrigation

The rights listed below are limited to the irrigation of a
combined total of 171.2 acres in a single irrigation season.
Combined Right Nos.: 67-311, 67-315, 67-316, 67-317, 67-4102,
and 67-10892

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

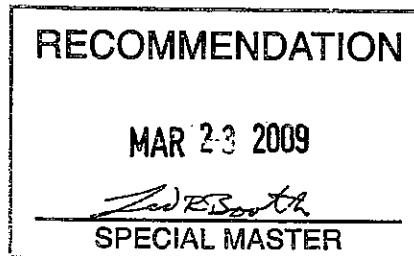
The quantity of water decreed for this water right for
stockwater use is not a determination of historical beneficial
use.

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).

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



DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
MAR 23 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): 67-00311
67-00315 67-00316 67-00317
67-04102

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 March 23, 2009, with sufficient first-class postage prepaid to the following:

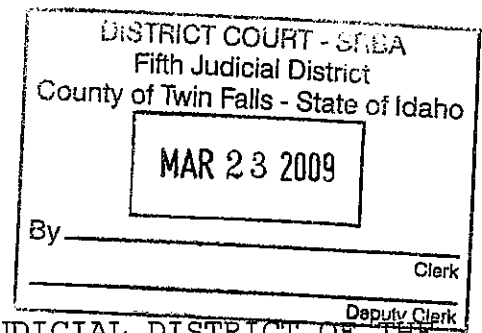
DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

JAMES A RENWICK
MARGARET F RENWICK
PO BOX 514
COUNCIL, ID 83612
Phone: 208-253-4842



DIANA R DELANEY
Deputy Clerk

CERTIFICATE OF MAILING



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

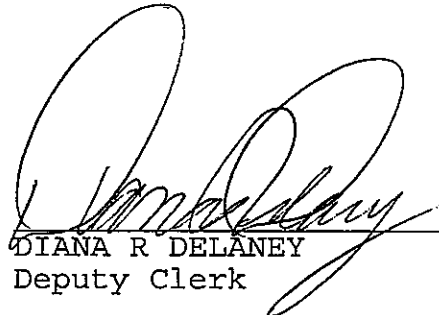
Water Right(s): 67-00311
67-00315 67-00316 67-00317
67-04102

On March 23, 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 March 23, 2009.


DIANA R DELANEY
Deputy Clerk