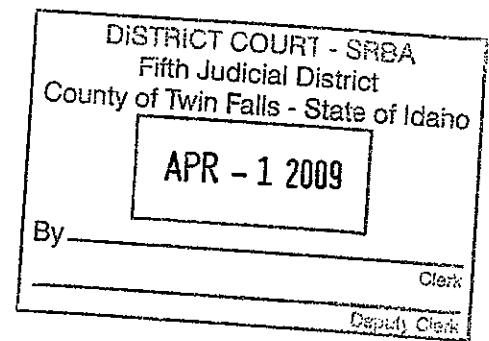


APR 02 2009
DEPARTMENT OF
WATER RESOURCES



**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) **Subcase 75-10053**
) **(Salmon River Ranches Ltd Co.)**
Case No. 39576)
) **SPECIAL MASTER REPORT**
)

Findings of Fact

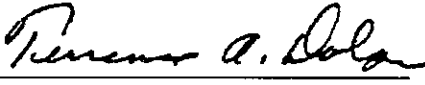
The Director of the Idaho Department of Water Resources filed his *Director's Report, Irrigation & Other Uses, Reporting Area 23, Basin 75* on January 11, 2007. The Director recommended the claim to Salmon River Ranches Ltd Company, c/o Richard Schowengerdt, 2794 Highway 93 South, Salmon, Idaho, 83467, for 3.5 cfs from Mc Kim Creek to irrigate 218 acres in Lemhi County from April 1 to October 15 with a priority date of June 1, 1930, based beneficial use.

The United States of America, Department of Interior, Bureau of Land Management filed an *Objection* on October 17, 2007, objecting to place of use. The claimant and the United States, with IDWR's concurrence, filed a *Standard Form 5* on October 27, 2008, amending the places of use and adding the remark: "Place of use does not include federal public lands."

Conclusions of Law

The Salmon River Ranches Ltd Company is entitled to a partial decree adjudicating a water right as described in the *SF-5* and the attached *Special Master Recommendation for Partial Decree for Water Right 75-10053*.

DATED April 1, 2009.


TERRENCE A. DOLAN
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 75-10053

DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
APR - 1 2009	
By _____	Clerk
_____	Deputy Clerk

NAME AND ADDRESS: SALMON RIVER RANCHES LTD CO
C/O RICHARD SCHOWENGERDT
2794 HWY 93 S
SALMON, ID 83467

SOURCE: MC KIM CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 3.50 CFS

PRIORITY DATE: 06/01/1930

POINT OF DIVERSION: T17N R21E S16 SWNE Within Lemhi County
S17 NWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-15	3.50 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T17N R21E S08 LOT 4 (NESE) 8.0	LOT 6 (SWSE) 7.0
	LOT 5 (SESE) 36.0	
	S09 LOT 5 (NWSW) 24.0	SWSW 8.0
	S17 NENE 26.0	LOT 1 (NWNW) 37.0
	SWNE 5.0	LOT 4 (SNNW) 19.0
	LOT 5 (NESW) 11.0	LOT 6 (NWSW) 13.0
	LOT 9 (SESW) 16.0	SWSE 8.0
	218.0 Acres Total	

Place of use does not include federal public lands.

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

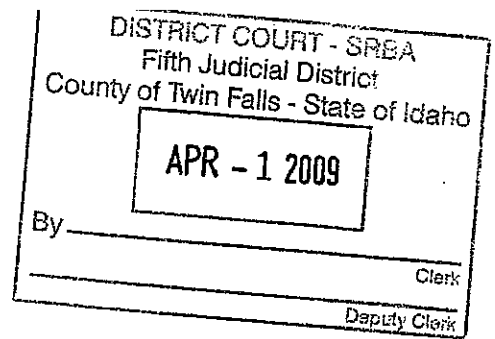
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment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

APR - 1 2009

John M. Melanson
SPECIAL JUDGE



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

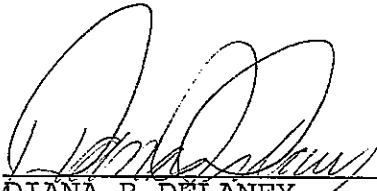
Water Right(s): 75-10053

On April 01, 2009, Special Master TERRENCE A. DOLAN issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

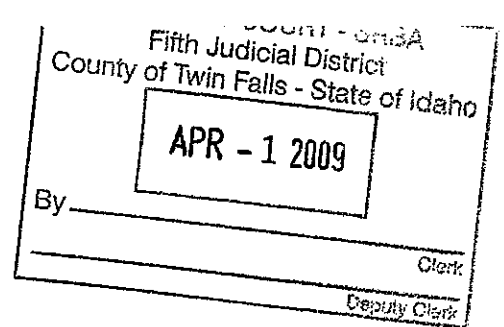
Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

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 April 01, 2009.



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): 75-10053

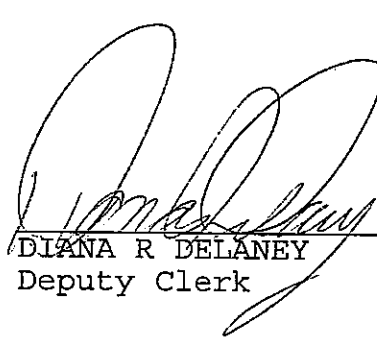
CERTIFICATE OF MAILING

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 April 01, 2009, with sufficient first-class postage prepaid to the following:

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

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

SALMON RIVER RANCHES LTD CO
C/O RICHARD SCHOWENGERDT
2794 HWY 93 S
SALMON, ID 83467



DIANA R DELANEY
Deputy Clerk

CERTIFICATE OF MAILING

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04/01/09