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APR 21 2009

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
APR 20 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 AND
	)	RECOMMENDATION; FINDINGS OF
Case No. 39576	)	FACT AND CONCLUSIONS OF LAW
	)	
	)	
	)	FOR WATER RIGHT: 37-02683B
_____	)	

I. FINDINGS OF FACT

A notice of claim was filed for this water right pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources examined the water system for this reporting area. The *Director's Report* contained a recommendation for the elements of this water right.

An *Objection* was filed by the USDI Bureau of Land Management on November 13, 2007. The *Objection* was resolved on September 12, 2008 with the filing of a *Standard Form 5*. All parties to the subcase and IDWR are signatories to the *Standard Form 5*.

II. CONCLUSIONS OF LAW

Therefore, based on the file and record herein, IT IS RECOMMENDED that this water right be **decreed** with the elements set forth in the attached *Special Master's Recommendation for Partial Decree*.

DATED: April 20, 2009.

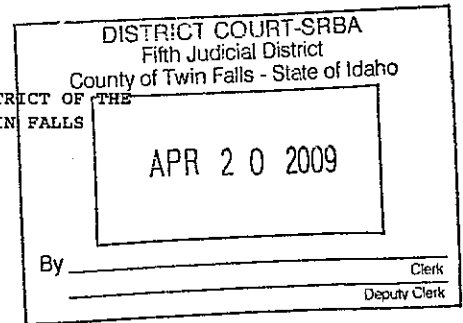


BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

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 37-02683B



NAME AND ADDRESS: HIDDEN CROWN RANCH LLC
71 W SHADOW TRAILS
BOYNE CITY, MI 49712

SOURCE: GROUND WATER

QUANTITY: 1.12 CFS
175.70 AFY

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Rediversion of ground water from Silver Creek under Rights 37-2683B & 37-7349B shall not exceed the amount of ground water actually diverted from the authorized well and injected into Silver Creek.
The total instantaneous diversion of water from all points of rediversion from Silver Creek under Rights 37-2683B and 37-7349B shall not exceed 1.24 cfs, nor total combined annual volume of 217.7 af.
This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands below.

PRIORITY DATE: 08/23/1961

POINT OF DIVERSION: T01S R20E S20 NWNESE Within Blaine County
S26 NENESW (Injection)
S27 NESESW (Rediversion)
SWNENE (Rediversion)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	1.12 CFS 175.70 AFY

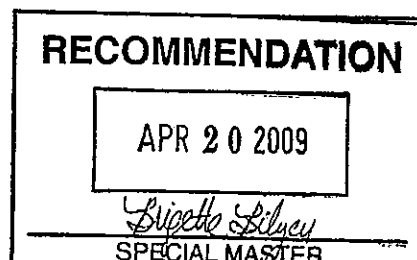
PLACE OF USE:	Irrigation	Within Blaine County	
	T01S R20E S26	NENW 7.0	NWNW 24.0
		SWNW 20.0	SENE 5.0
		NESE 26.0	NWSE 14.0
		SWSE 7.0	SESE 12.0
	S27	NENE 15.0	SENE 22.0
	152.0 Acres Total		

Right Nos. 37-2683B and 37-7349B are limited to the irrigation of a combined total of 62.2 acres in a single irrigation season within the place of use described above.
This right is limited to the irrigation of 58.8 acres within the place of use described above in a single irrigation season.
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).

SRBA PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 37-02683B File Number: 01318



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APR 20 2009
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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

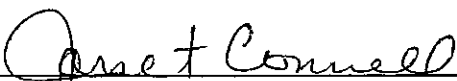
Water Right(s): 37-02683B

On April 20, 2009, 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 April 20, 2009.


JANET CONNELL
Deputy Clerk

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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
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In Re SRBA

Case No. 39576

CERTIFICATE OF MAILING

Water Right(s): 37-02683B

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 20, 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

HIDDEN CROWN RANCH LLC
71 W SHADOW TRAILS
BOYNE CITY, MI 49712


JANET CONNELL
Deputy Clerk

CERTIFICATE OF MAILING

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04/20/09