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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

Case No. 39576

-) SPECIAL MASTER'S REPORT
-)
-) FINDINGS OF FACT AND
-) CONCLUSIONS OF LAW
-)
-) FOR WATER RIGHTS 67-15005 and
-) 67-15006 (split from 67-04023)

I. FINDINGS OF FACT

A notice of claim was filed for water right 67-04023 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* recommended that water right claim 67-04023 be disallowed. On October 23, 2008, a *Final Order Disallowing Water Right Claims* was entered, which decreed claim no. 67-04023 disallowed.

On October 28, 2008, the SRBA Court received correspondence from William Phipps and Verona Spreadbury, seeking to have the decree of disallowance set aside. On February 2, 2009, IDWR filed *Amended Director's Reports* for the above-captioned water right claims, which split water right no. 67-04023 into water right nos. 67-15005 and 15006, and also recommended the elements of the claims.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein, IT IS RECOMMENDED that the SRBA District Court set-aside the previously issued disallowance of water claim 67-04023 so as to allow water rights 67-15005 and 67-15006 be decreed with the elements as set forth in the attached *Recommendation for Partial Decree Pursuant to I.R.C.P. 54(b)*. It is FURTHER RECOMMENDED that because water right number 67-04023 has been split and is no longer a valid number, a final order disallowing water right number 67-04023 be issued.

Dated April 20, 2009


Theodore R. Booth
Special Master
Snake River Basin Adjudication

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

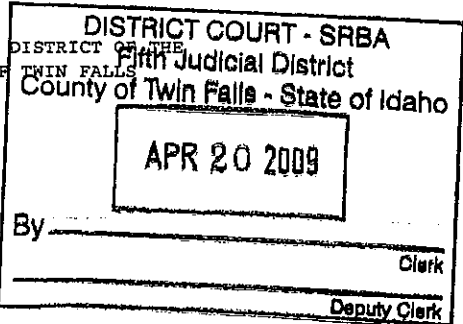
APR 20 2009

By _____ Clerk

Deputy Clerk

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APR-15-2009

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-67-15006

NAME AND ADDRESS: VERONA M SPREADBURY
1715 N CRANE RD
MIDVALE, ID 83645

SOURCE: NORTH CRANE CREEK TRIBUTARY: CRANE CREEK

QUANTITY: 0.38 CFS

PRIORITY DATE: 02/18/1884

Pursuant to a call in times of scarcity, this right is junior to
Water Right No. 67-11763.

POINT OF DIVERSION: T12N R01W S03 NWSW Within Washington County

PURPOSE AND	PURPOSE OF USE	PERIOD OF USE	QUANTITY
PERIOD OF USE:	Irrigation	03-15 TO 10-31	0.38 CFS

PLACE OF USE:	Irrigation	Within Washington County
	T12N R01W S03 SWSW 0.2	SESW 15.0
	15.2 Acres Total	

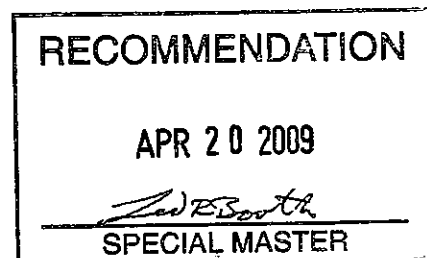
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

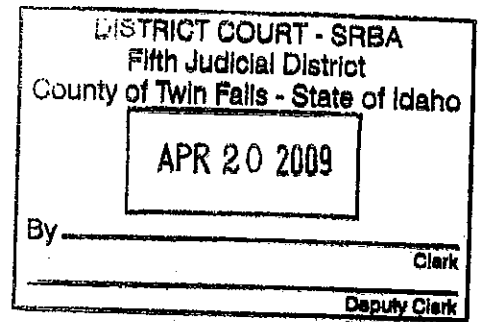
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

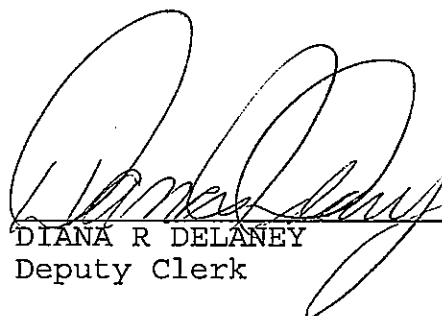
Water Right(s): 67-15005
67-15006, 67-4023

On April 20, 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 April 20, 2009.



DIANA R DELANEY
Deputy Clerk

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)
)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 67-15005
67-15006, 67-4023

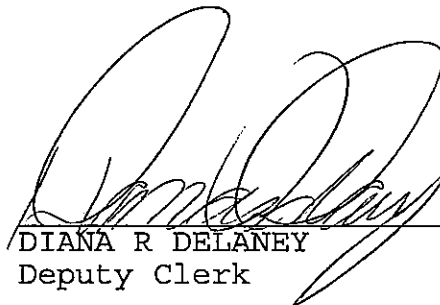
CERTIFICATE OF MAILING

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

VERONA M SPREADBURY
1715 N CRANE RD
MIDVALE, ID 83645

WILLIAM C PHIPPS
1731 N CRANE RD
MIDVALE, ID 83645



DIANA R DELANEY
Deputy Clerk

CERTIFICATE OF MAILING

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04/20/09