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APR 27 2009

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
APR 24 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) Subcases 02-2047, 02-2054, 02-7272 and 02-
Case No. 39576) 10060
) (Wilson & Wilson Co., Inc.)
)
) 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 Basin 02* on December 29, 2006. The Director recommended the claims to Wilson & Wilson Company, Inc., P.O. Box 33, Hammett, Idaho, 83627, for 10.26 cfs, 3.66 cfs, 17.82 cfs and .69 cfs from the Snake River to irrigate 513 acres, 183 acres, 891 acres and 23.1 acres in Owyhee County from March 15 to November 15 with priority dates of November 14, 1944, July 10, 1946, October 23, 1978, and September 2, 1987, based on licenses.

The claimant filed *Objections* on October 11 and November 5, 2007, objecting to place of use. On April 22, 2009, the claimant, with IDWR's concurrence, filed *Standard Forms 5*.

Conclusions of Law

Wilson & Wilson Company, Inc., is entitled to partial decrees adjudicating water rights as described in the *SF-5's* and the attached *Special Master Recommendations for Partial Decrees for Water Rights 02-2047, 02-2054, 02-7272 and 02-10060*.

DATED April 24, 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

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

APR 24 2009

By _____ Clerk
Deputy Clerk

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 02-02047

NAME AND ADDRESS: WILSON & WILSON CO INC
PO BOX 33
HAMMETT, ID 83627

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 10.26 CFS
2565.00 AFY

The rights listed below are limited to a total combined
diversion rate of 26.65 cfs. Combined Right Nos.: 02-02047,
02-02054, 02-07272 & 02-10060.

PRIORITY DATE: 11/14/1944

POINT OF DIVERSION: T05S R06E S36 LOT 6 (SESESE) Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation		03-15 TO 11-15	10.26 CFS 2565.00 AFY

PLACE OF USE:	Irrigation	Within Owyhee County
T06S R06E S01	SWNE 38.0 SESW 33.0 NWSE 40.0 SESE 27.0	NESW 33.0 NESE 33.0 SWSE 40.0
S12	NENE 40.0 SWNE 28.1 NESE 40.0 SWSE 32.0	NWNE 38.4 SENE 39.0 NWSE 33.6 SESE 40.0
S13	NENE 5.6	
R07E S06 LOT 5	(SWNW) 6.5 NESW 0.7	SENW 0.5 (NWSW) 20.0
LOT 7	(SWSW) 37.6	
S07 LOT 1	(NWNW) 38.4 SENW 27.0	LOT 2 (SWNW) 38.9 NESW 38.0
LOT 3	(NWSW) 40.0 SESW 40.0 SWSE 25.9	LOT 4 (SWSW) 40.0 NWSE 21.7
S18	NWNE 20.4	NENW 40.0
LOT 1	(NWNW) 38.0 SENW 40.0	LOT 2 (SWNW) 29.7 NESW 25.6
LOT 3	(NWSW) 0.5	
1110.1 Acres Total		

This right is limited to the irrigation of 513 acres within the
place of use described above in a single irrigation season.
The rights listed below are limited to the irrigation of a
combined total of 1110.1 acres in a single irrigation season.
Combined Right Nos.: 02-02047, 02-02054, 02-07272 & 02-10060.

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
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE

RECOMMENDATION

APR 24 2009

Thomas A. Olson
SPECIAL MASTER

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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 02-02054

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
APR 24 2009	
By _____	Clerk
_____	Deputy Clerk

NAME AND ADDRESS: WILSON & WILSON CO INC
PO BOX 33
HAMMETT, ID 83627

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 3.66 CFS
915.00 APY

The rights listed below are limited to a total combined
diversion rate of 26.65 cfs. Combined Right Nos.: 02-02047,
02-02054, 02-07272 & 02-10060.

PRIORITY DATE: 07/10/1946

POINT OF DIVERSION: T05S R06E S36 LOT 6 (SESESE) Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	3.66 CFS 915.00 APY

PLACE OF USE:	Irrigation	Within Owyhee County
T06S R06E S01	SWNE 38.0 SESW 33.0 NWSE 40.0 SESE 27.0	NESW 33.0 NESE 33.0 SWSE 40.0
S12	NENE 40.0 SWNE 28.1 NESE 40.0 SWSE 32.0	NWNE 38.4 SENE 39.0 NWSE 33.6 SESE 40.0
S13	NENE 5.6	
R07E S06 LOT 5	(SWNW) 6.5 NESW 0.7	SENW 0.5 (NWSW) 20.0
LOT 7	(SWSW) 37.6	
S07 LOT 1	(NWNW) 38.4 SENW 27.0	LOT 2 (SWNW) 38.9 NESW 38.0
LOT 3	(NWSW) 40.0 SESW 40.0 SWSE 25.9	LOT 4 (SWSW) 40.0 NWSE 21.7
S18	NWNE 20.4	NENW 40.0
LOT 1	(NWNW) 38.0 SENW 40.0	LOT 2 (SWNW) 29.7 NESW 25.6
LOT 3	(NWSW) 0.5	
1110.1 Acres Total		

The rights listed herein are limited to the irrigation of a
combined total of 1110.1 acres in a single irrigation season.
Combined Right Nos.: 02-02047, 02-02054, 02-07272 & 02-10060.
This right is limited to the irrigation of 183 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

RECOMMENDATION
APR 24 2009
<i>Thomas A. Olson</i> SPECIAL MASTER PAGE 1

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

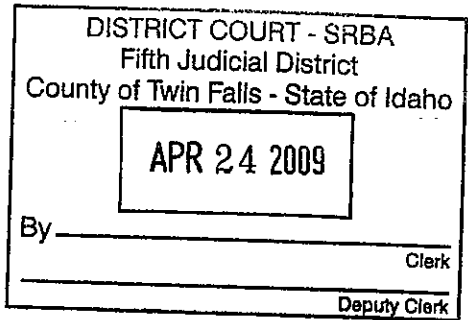
RULE 54(b) CERTIFICATE

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 02-07272



NAME AND ADDRESS: WILSON & WILSON CO INC
PO BOX 33
HAMMETT, ID 83627

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 17.82 CFS
4455.00 AFY

The rights listed below are limited to a total combined
diversion rate of 26.65 cfs. Combined Right Nos.: 02-02047,
02-02054, 02-07272 & 10060.
Water shall not be diverted under this right unless the flow of
the Snake River exceeds established downstream minimum stream
flows.

PRIORITY DATE: 10/23/1978

POINT OF DIVERSION: T05S R06E S36 LOT 6 (SESESE) Within Owyhee County

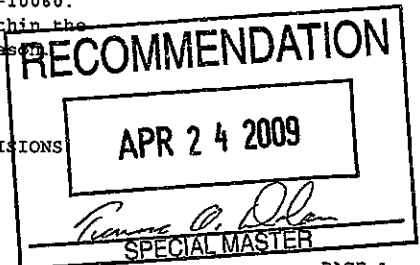
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	17.82 CFS 4455.00 AFY

PLACE OF USE:	Irrigation	Within Owyhee County
T06S R06E S01	SWNE 38.0 SESW 33.0 NWSE 40.0 SESE 27.0	NESW 33.0 NESE 33.0 SWSE 40.0
S12	NENE 40.0 SWNE 28.1 NESE 40.0 SWSE 32.0	NWNE 38.4 SENE 39.0 NWSE 33.6 SESE 40.0
S13	NENE 5.6	
R07E S06 LOT 5	(SWNW) 6.5 NESW 0.7	SENW 0.5 (NWSW) 20.0
LOT 7	(SWSW) 37.6	
S07 LOT 1	(NWNW) 38.4 SENW 27.0	LOT 2 (SWNW) 38.9 NESW 38.0
LOT 3	(NWSW) 40.0 SESW 40.0 SWSE 25.9	LOT 4 (SWSW) 40.0 NWSE 21.7
S18	NWNE 20.4	NENW 40.0
LOT 1	(NWNW) 38.0 SENW 40.0	LOT 2 (SWNW) 29.7 NESW 25.6
LOT 3	(NWSW) 0.5	
1110.1 Acres Total		

The rights listed below are limited to the irrigation of a
combined total of 1110.1 acres in a single irrigation season.
Combined Right Nos.: 02-02047, 02-02054, 02-07272 & 02-10060.
This right is limited to the irrigation of 891 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



SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

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

APR 24 2009

By _____ Clerk

Deputy Clerk

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 02-10060

NAME AND ADDRESS: WILSON & WILSON CO INC
PO BOX 33
HAMMETT, ID 83627

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.69 CFS
115.00 AFY

Right Nos. 02-07272 and 02-10060 are limited to a total combined diversion rate of 18.86 cfs.
The rights listed below are limited to a total combined diversion rate of 26.65 cfs. Combined Right Nos.: 02-02047, 02-02054, 02-07272 & 02-10060.

PRIORITY DATE: 09/02/1987

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF DIVERSION: T05S R06E S36 LOT 6 (SESESE) Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation		03-15 TO 11-15	0.69 CFS 115.00 AFY

PLACE OF USE:	Irrigation	Within Owyhee County
T06S R06E S01	SWNE 38.0 SESW 33.0 NWSE 40.0 SESE 27.0	NESW 33.0 NESE 33.0 SWSE 40.0
S12	NENE 40.0 SWNE 28.1 NESE 40.0 SWSE 32.0	NWNE 38.4 SENE 39.0 NWSE 33.6 SESE 40.0
S13	NENE 5.6	
R07E S06 LOT 5	(SNNW) 6.5 NESW 0.7	SENW 0.5 (NWSW) 20.0
LOT 7	(SWSW) 37.6	
S07 LOT 1	(NWNW) 38.4 SENW 27.0	LOT 2 (SNNW) 38.9 NESW 38.0
LOT 3	(NWSW) 40.0 SESW 40.0 SWSE 25.9	LOT 4 (SWSW) 40.0 NWSE 21.7
S18	NWNE 20.4	NENW 40.0
LOT 1	(NWNW) 38.0 SENW 40.0	LOT 2 (SNNW) 29.7 NESW 25.6
LOT 3	(NWSW) 0.5	
1110.1 Acres Total		

Right Nos. 02-07272 and 02-10060 are limited to the irrigation of a combined total of 914 acres in a single irrigation season. The rights listed below are limited to the irrigation of a

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

combined total of 1110.1 acres in a single irrigation season.
Combined Right Nos.: 02-02047, 02-02054 & 02-07272.

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

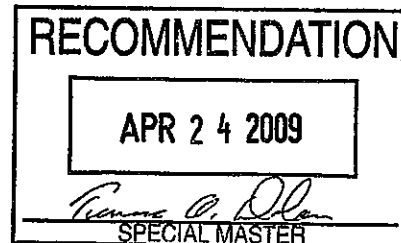
This right is based upon an enlargement of Right No. 02-07272 pursuant to Section 42-1426, Idaho Code.

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	
APR 24 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

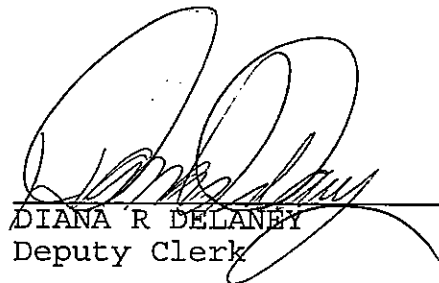
Water Right(s): 02-02047
02-02054 02-07272 02-10060

On April 24, 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.

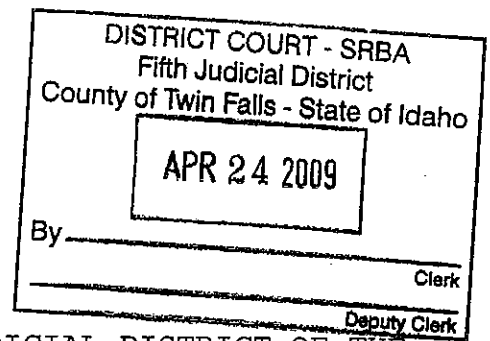
Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

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 24, 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

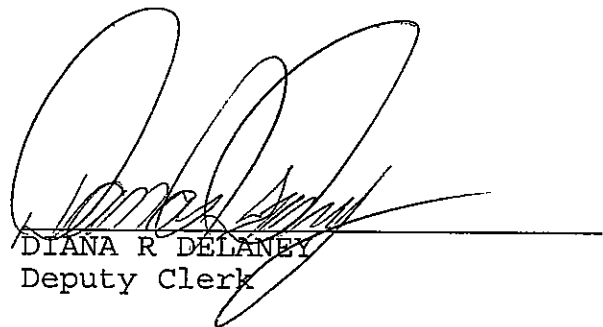
Water Right(s): 02-02047
02-02054 02-07272 02-10060

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 24, 2009, with sufficient first-class postage prepaid to the following:

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

WILSON & WILSON CO INC
PO BOX 33
HAMMETT, ID 83627
Phone: 208-366-2173


DIANA R DELANEY
Deputy Clerk

CERTIFICATE OF MAILING

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04/24/09