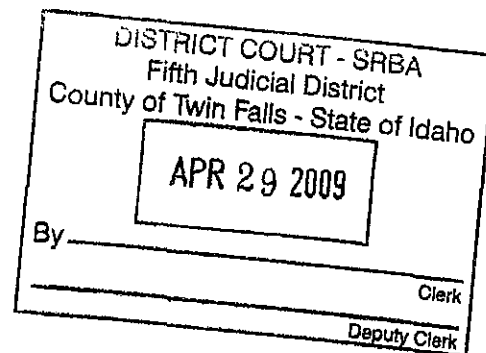


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APR 30 2009

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 74-2169
Case No. 39576) (242 Remuda Ranch LLC)
)
) SPECIAL MASTER REPORT
)
_____)

Findings of Fact

The Director of the Idaho Department of Water Resources filed his *Director's Report, Reporting Area 23, IDWR Basin 74* on January 23, 2006. The Director recommended the claim to James Kruckenberg for 1.8 cfs from Eighteenmile Creek to irrigate 153 acres in Lemhi County from March 15 to November 15 with a priority date of April 30, 1914, based on a decree.

Mr. Kruckenberg filed an *Objection* on February 21, 2006, objecting to point of diversion and place of use. IDWR filed a *Notice of Completed Administrative Proceeding* on March 21, 2007, for substitution of party with the new owner 242 Remuda Ranch LLC, Michelle G. Drake, 413 Eighteenmile Road, Leadore, Idaho, 83464. The claimant, with IDWR's concurrence, filed a *Standard Form 5* on April 23, 2009, adding remarks under quantity, place of use and explanatory material and amending place of use.

Conclusions of Law

242 Remuda Ranch 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 74-2169*.

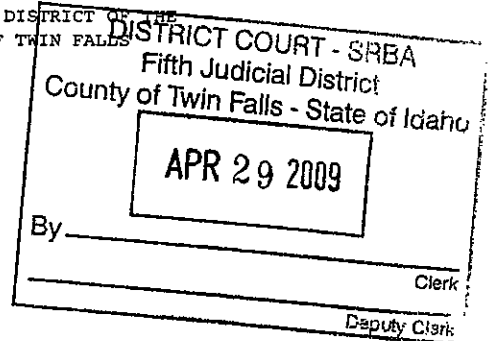
DATED April 29, 2009.

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 74-02169



NAME AND ADDRESS: 242 REMUDA RANCH LLC
MICHELLE GARRIHY DRAKE
413 EIGHTEEN MILE RD
LEADORE, ID 83464

SOURCE: EIGHTEENMILE CREEK TRIBUTARY: LEMHI RIVER

QUANTITY: 1.80 CFS

Right Nos. 74-2169 and 74-15668 are limited to a total combined
diversion rate of 1.8 cfs.

PRIORITY DATE: 04/30/1914

POINT OF DIVERSION: T15N R27E S07 LOT 4 (SWSW) Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	1.80 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T15N R27E S07	NESW 37.0 LOT 3 (NWSW) 31.0
	LOT 4	(SWSW) 31.0 SESW 36.0
	135.0 Acres Total	

This right is limited to the irrigation of 74.6 acres within the
place of use described above in a single irrigation season.
Right Nos. 74-2169 and 74-15668 are limited to the irrigation of
a combined total of 135 acres in a single irrigation season.

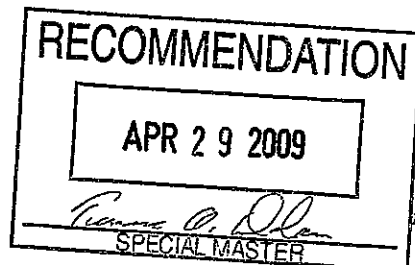
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

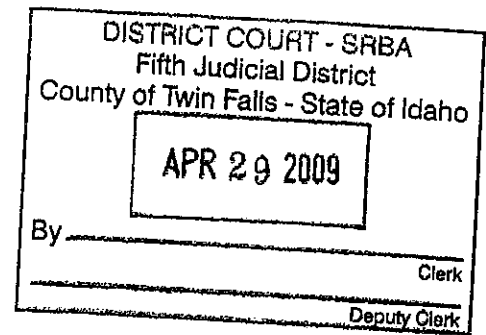
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

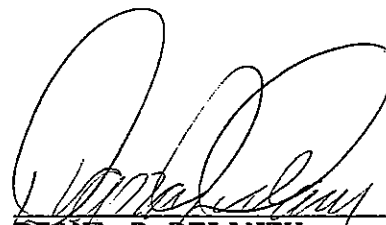
Water Right(s): 74-02169

On April 29, 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.

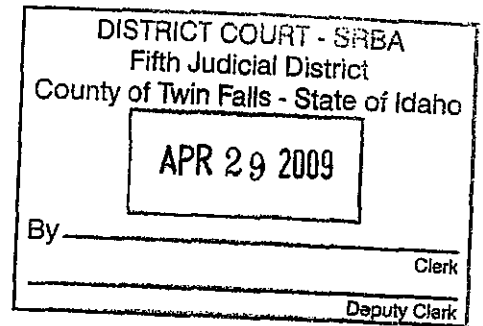
Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

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 29, 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): 74-02169

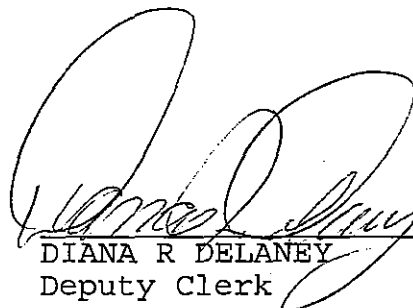
CERTIFICATE OF MAILING

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 29, 2009, with sufficient first-class postage prepaid to the following:

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

242 REMUDA RANCH LLC
MICHELLE GARRIHY DRAKE
413 EIGHTEEN MILE RD
LEADORE, ID 83464
Phone: 208-768-2420

JAMES KRUCKEBERG SR
411 18 MILE RD
LEADORE, ID 83464
Phone: 208-768-2420


DIANA R DELANEY
Deputy Clerk

CERTIFICATE OF MAILING

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04/29/09