

DEPARTMENT OF
WATER RESOURCES

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

JUN 12 2009

By _____ Clerk

Deputy Clerk

DISTRICT OF THE

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 AND RECOMMENDATION

WATER RIGHT NO.: 27-12168

I. PROCEDURAL BACKGROUND

On November 18, 2008, IDWR sent a letter to the Court explaining that it had reviewed its recommendations in Basin 27 and discovered that corrections to some water rights were needed. The letter provided additional information about the necessary corrections in Basin 27 which included separating the instream stockwater portion of several rights. The letter was served on the parties. Hearings were held on January 30, 2009 and June 5, 2009.

II. FINDINGS OF FACT

At the hearings, IDWR proposed that it be allowed to file an *Amended Director's Report* for this right. An *Amended Director's Report* was filed with the court. The *Amended Director's Report* was placed on the Docket Sheet. No objections were filed to the *Amended Director's Report*, and the time for filing such objections has now expired.

III. CONCLUSIONS AND RECOMMENDATIONS

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: June 12, 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 27-12168

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

JUN 12 2009

By

Clerk

Deputy Clerk

RECEIVED

JUN 16 2009

DEPARTMENT OF
WATER RESOURCES

NAME AND ADDRESS: RONALD JENSEN
708 E 800 N
FIRTH, ID 83236

SOURCE: BLACKFOOT RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.02 CFS
1.30 AFY

The quantity of water under this right shall not exceed 13,000
gallons per day.
Right Nos. 27-10969, 27-10971, 27-10973, 27-11057, 27-12168 and
27-12170 are limited to a total combined annual diversion volume
of 5.91 AF for stockwater.

PRIORITY DATE: 04/01/1887

POINT OF DIVERSION: T02S R38E S29 LOT 3 (NWSE) (Instream Ending Point) Within Bingham County
S33 LOT 2 (NWNW) (Instream Beginning Point)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	04-01 TO 10-31	0.02 CFS 1.30 AFY

PLACE OF USE: Stockwater Within Bingham County
T02S R38E S29 LOT 3 (NWSE) LOT 4 (SESE)
S32 LOT 1 (NENE)
S33 LOT 2 (NWNW)

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.

RECOMMENDATION

JUN 12 2009

Bridgette L. Lyle
SPECIAL MASTER

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

DEPARTMENT OF
WATER RESOURCES

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JUN 16 2009

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUN 12 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

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CERTIFICATE OF MAILING

Case No. 39576

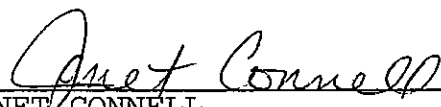
Water Right(s): 27-12168

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 June 12, 2009, with sufficient first-class postage prepaid to the following:

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

RONALD JENSEN
708 E 800 N
FIRTH, ID 83236



JANET CONNELL
Deputy Clerk

CERTIFICATE OF MAILING

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06/12/09