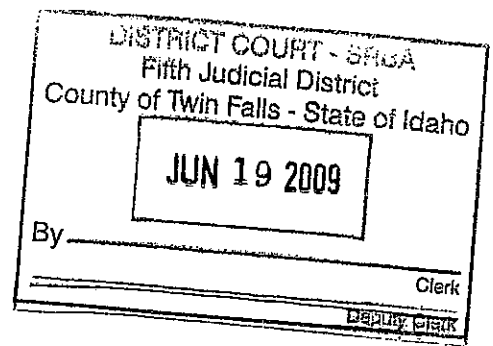


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JUN 22 2009

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

Case No. 39576

) SPECIAL MASTER'S REPORT
)
) FINDINGS OF FACT AND
) CONCLUSIONS OF LAW
)
) FOR WATER RIGHT 47-04203
) and 47-17169

I. FINDINGS OF FACT

Notices of claim were filed for the above-captioned water rights 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* contained a recommendation or abstract for the elements of these water rights.

On September 17, 2007, the Twin Falls Canal Company, through its attorney Paul L. Arrington, filed Objections to the *Director's Report*, asserting that a remark should be added clarifying that the source is wastewater. On June 17, 2009, the Twin Falls Canal Company withdrew its objections. Therefore there are no unresolved issues and these water rights may be decreed as recommended in the *Director's Report*.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein, IT IS RECOMMENDED that water rights 47-04203 and 47-17169 be decreed with the elements as set forth in the attached *Recommendation for Partial Decrees Pursuant to I.R.C.P. 54(b)*.

Dated June 19, 2009

A handwritten signature in cursive script, appearing to read 'Theodore R. Booth'.

Theodore R. Booth
Special Master
Snake River Basin Adjudication

In Re SRBA)
)
Case No. 39576)
)

Water Right 47-04203

NAME AND ADDRESS: TWIN FALLS WILDLIFE FEDERATION
PO BOX 785
TWIN FALLS, ID 83303

SOURCE: UNNAMED STREAM TRIBUTARY: ROCK CREEK

PRIORITY DATE: 01/01/1928 .

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Fish Propagation	01-01 TO 12-31	3.08 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE SAME FISH
PROPAGATION FACILITIES. COMBINED RIGHT NOS. 47-4203 & 47-17169

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).

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

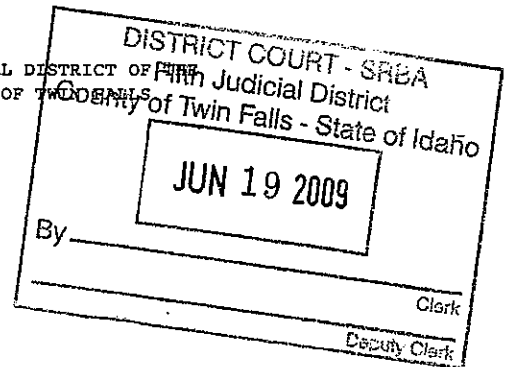
PAGE 1
Jun-18-2009

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF
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 47-17169



NAME AND ADDRESS: TWIN FALLS WILDLIFE FEDERATION
PO BOX 785
TWIN FALLS, ID 83303

SOURCE: UNNAMED STREAM TRIBUTARY: ROCK CREEK

QUANTITY: 4.42 CFS

PRIORITY DATE: 01/01/1941

POINT OF DIVERSION: T10S R17E S21 NWSENE Within Twin Falls County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Fish Propagation	01-01 TO 12-31	4.42 CFS

PLACE OF USE: Fish Propagation Within Twin Falls County
T10S R17E S21 SENE

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE SAME FISH
PROPAGATION FACILITIES. COMBINED RIGHT NOS. 47-4203 & 47-17169.

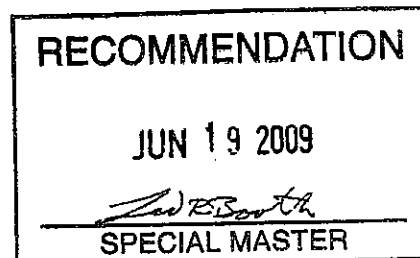
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

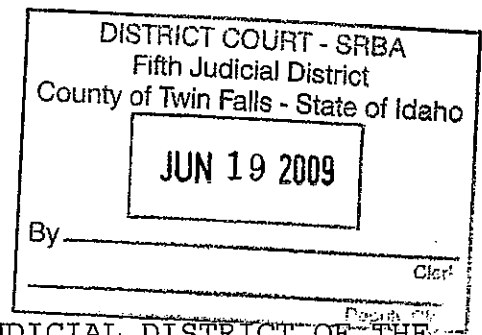
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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

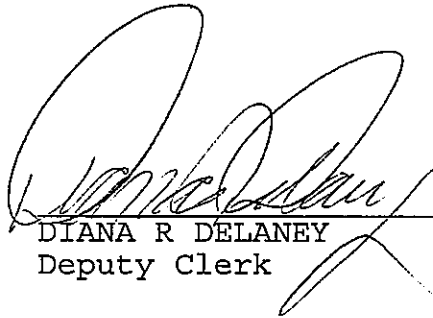
Water Right(s): 47-04203
47-17169

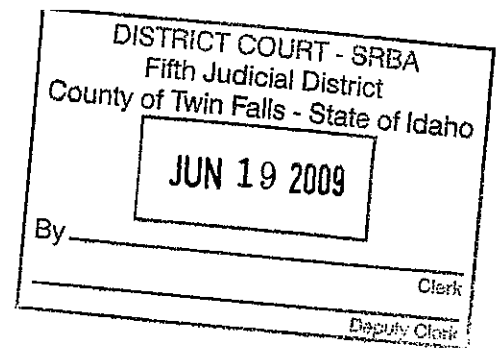
On June 19, 2009, Special Master THEODORE R. BOOTH issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

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 June 19, 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): 47-04203
47-17169

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 19, 2009, with sufficient first-class postage prepaid to the following:

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

TWIN FALLS WILDLIFE
FEDERATION INC
C/O DONALD ZUCK, SECRETARY
486 ROSE ST N
TWIN FALLS, ID 83301-4524

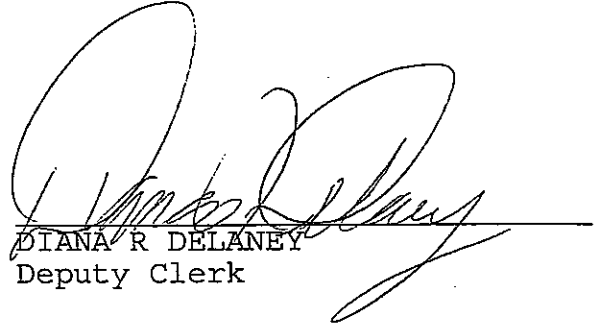
TWIN FALLS CANAL COMPANY
Represented by:
BARKER, ROSHOLT & SIMPSON LLP
113 MAIN AVE W, STE 303
PO BOX 485
TWIN FALLS, ID 83303-0485
Phone: 208-733-0700

CERTIFICATE OF MAILING

PAGE 1
06/19/09

COLLEGE OF SOUTHERN IDAHO
PO BOX 1238
TWIN FALLS, ID 83303

TWIN FALLS WILDLIFE FEDERATION
PO BOX 785
TWIN FALLS, ID 83303
Phone: 208-423-4044



DIANA R DELANEY
Deputy Clerk

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JUN 22 2009

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUN 16 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 45-2810A (BLM)
	)	and 45-10491 (Bedke)
Case No. 39576	)	ORDER GRANTING MOTION
	)	TO FILE LATE OBJECTIONS

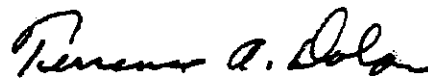
IDWR filed its *Supplemental Director's Report Regarding Subcase Nos. 45-2810A and 45-10491* on April 28, 2008, and the deadline to file objections was set for June 1, 2009. Bruce and Jared Bedke lodged *Objections* in both subcases on June 3, 2009, although their mailing was postmarked in Burley, Idaho, on May 30, 2009.

The late *Objections* were deemed to be a motion to file late objections and a hearing was held by telephone on June 18, 2009. David L. Negri appeared for the United States of America, Department of Interior, Bureau of Land Management, along with Fredric W. Price; Bruce and Jared Bedke appeared *pro se*; Michael C. Orr appeared for the State of Idaho, Department of Lands; and Nicholas B. Spencer appeared for IDWR.

The Bedkes showed good cause to file their late objections.

THEREFORE, IT IS ORDERED that the Bedkes' motion to file late objections is granted.

DATED June 19, 2009.



TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication