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
AUG 17 2009
By _____ Clerk
_____ Deputy Clerk

In Re SRBA	)	PARTIAL DECREE PURSUANT TO
	)	I.R.C.P. 54(b) FOR
Case No. 39576	)	
	)	Water Right 63-04008

NAME AND ADDRESS: RIVERSIDE IRRIGATION DIST LTD
PO BOX 1080
PARMA, ID 83660

SOURCE: MAMMEN GULCH CREEK TRIBUTARY: BOISE RIVER

QUANTITY: 20.00 CFS

PRIORITY DATE: 04/15/1916

POINT OF DIVERSION: T05N R05W S34 SENE Within Canyon County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	03-01 TO 11-15	20.00 CFS

PLACE OF USE:

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.
Place of use includes the irrigation of 4252 acres within the State of Oregon.
This right when combined with Right Nos. 63-226, 63-277, 63-228, 63-229, 63-299, 63-300, 63-2279, 63-2374, 63-2389, 63-4007, and 63-4010 can be used to irrigate up to 10158 acres within the boundary of the Riverside Irrigation District.

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
RECOMMENDATION
Snake River Basin Adjudication
AUG 17 2009
SPECIAL MASTER

RECEIVED
AUG 18 2009
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho
AUG 17 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	)	**SPECIAL MASTER'S REPORT**
	)	
Case No. 39576	)	**FINDINGS OF FACT AND**
	)	**CONCLUSIONS OF LAW**
	)	
	)	**FOR WATER RIGHTS 63-00226,**
	)	**63-00227, 63-00228, 63-00229, 63-00299,**
	)	**63-0300, 63-02279, 63-02374, 63-02389,**
	)	**63-04007, 63-04008, and 63-04010**

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 June 19, 2007, Ray Obendorf, through his attorney Dana L. Hofstetter, filed an objection to the *Director's Report*. On May 1, 2009, Ray Obendorf withdrew his objections. On June 19, 2007, the claimant of these water rights, the Riverside Irrigation District, filed objections to the *Director's Report* for water rights 63-04007 and 63-04010. On May 27, 2009, the parties filed a *Standard Form 5 – Stipulated Elements of a Water Right* in subcases 63-04007 and 63-04010, which resolved the claimant's objections. The Idaho Department of Water Resources concurred with the stipulations.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein and pursuant to the *Standard Forms 5*, IT IS RECOMMENDED that water rights 63-00226, 63-00227, 63-00228, 63-00229, 63-00299, 63-0300, 63-02279, 63-02374, 63-02389, 63-04007, 63-04008, and 63-04010 be **decreed** with the

elements as set forth in the attached ***Recommendations for Partial Decrees Pursuant to I.R.C.P. 54(b).***

Dated Aug 17 2009

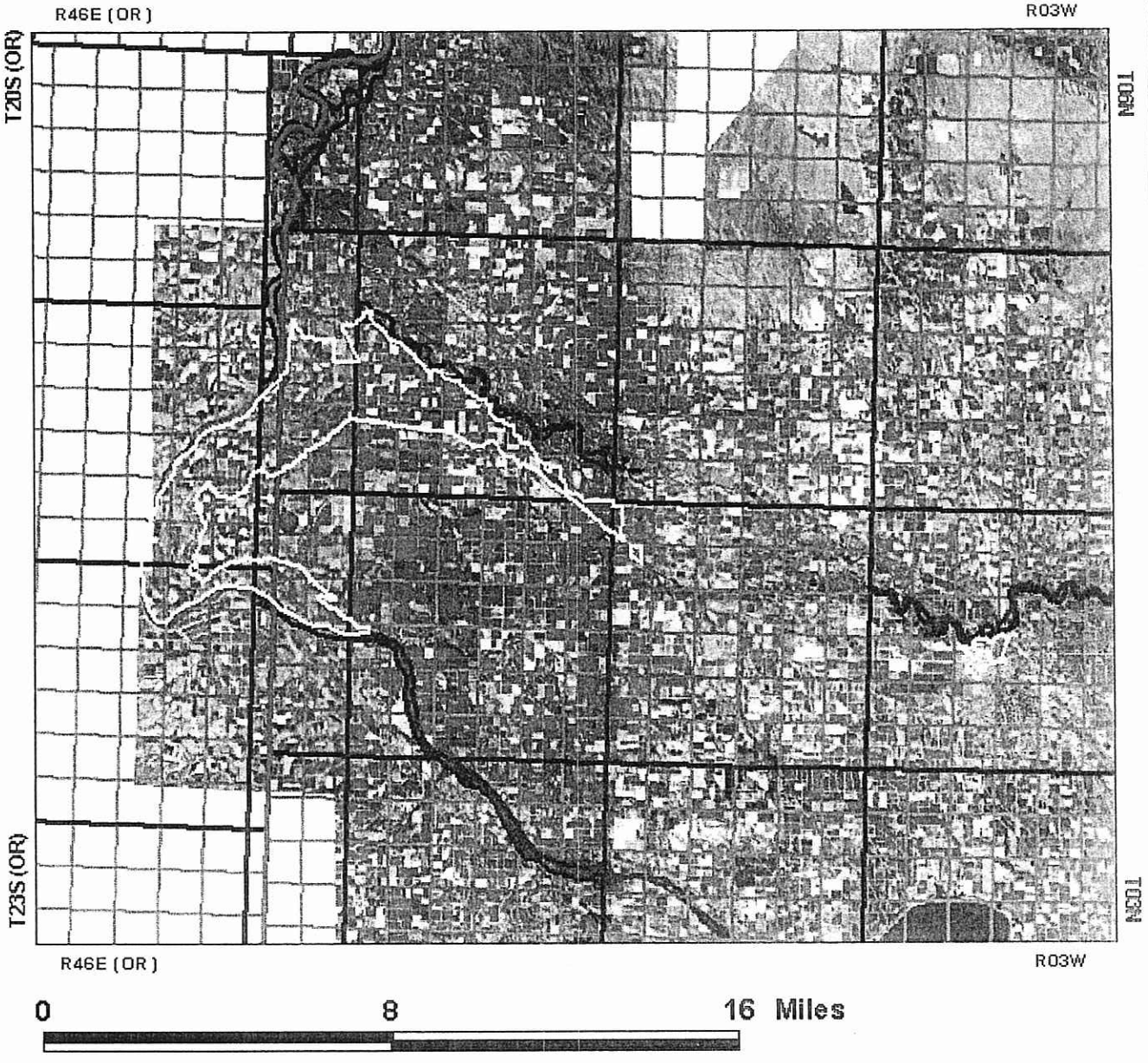
Theodore R. Booth
Special Master
Snake River Basin Adjudication

The Riverside Irrigation Dist Ltd

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho
DEC 19 2006
By

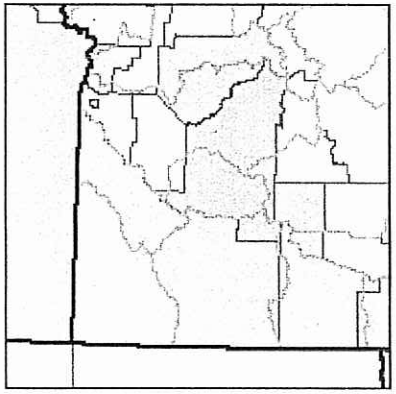
SRBA Recommendations: 63-226, 63-227, 63-228, 63-229, 63-299, 63-300, 63-2279, 63-2374, 63-2389, 63-4007, 63-4008, 63-4010

Service Area Boundary
GIS Place of Use Illustration



Legend

Service Area
Townships
PLS Sections



Payette, Canyon, Owyhee Counties
IDWR Basin 63

N

Prepared by D. Favreau
On Saturday, December 16, 2006
1987/88 Aerial Photography

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho
AUG 17 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): 63-00226 (SEE ATTACHED EXHIBIT A)

On August 17, 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 August 17, 2009.

DIANA R DELANEY
Deputy Clerk

Exhibit A

Subcase Nos:

63-00226
63-00227
63-00228
63-00229
63-00299
63-00300
63-02279
63-02374
63-02389
63-04007
63-04008
63-04010

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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)	CERTIFICATE OF MAILING
)	
Case No. 39576)	
)	Water Right(s): 63-00226
	(SEE ATTACHED EXHIBIT A)

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 August 17, 2009, with sufficient first-class postage prepaid to the following:

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

RIVERSIDE IRRIGATION DIST LTD
RIVERSIDE IRRIGATION DISTRICT
Represented by:
ALBERT P BARKER
1010 W JEFFERSON, STE 102
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

RAY OBENDORF
Represented by:
DANA L. HOFSTETTER
608 WEST FRANKLIN STREET
BOISE, ID 83702
Phone: 208-424-7800

DIANA R DELANEY
Deputy Clerk

Exhibit A

Subcase Nos:

63-00226
63-00227
63-00228
63-00229
63-00299
63-00300
63-02279
63-02374
63-02389
63-04007
63-04008
63-04010