

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

AUG 24 2009

By _____ Clerk

Deputy Clerk

WATER RIGHT NO.: 37-7792

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Berlow, Chaney Creek Ranch LLC, Eagle Creek Irrigation Co., ECD Inc., Michael Engl, Charles Foley, Gimlet Property Owners Association, William Gordon, Gregory Ranch LLC, Lake Creek Meadows Homeowners, Elise Lufkin, Charles Matthiesen, The R. Daniel Olmstead Revocable Trust, Ralph and Kandi Girton, River Rock Ranch LP, Rivers Edge Associates LLC, Steven Holzman Trust, Michael Willard, and Roy Woods made an oral *Motion to Withdraw Responses*. There was no opposition to the withdrawal of the *Responses*. The court granted the *Motion to Withdraw Objections* and the *Motion to Withdraw Responses*. ***Order Dismissing Objections and Responses***. (May 12, 2009)

The remaining *Objection* was resolved with the filing of a *Standard Form 5* on August 12, 2009. All parties to the subcase and IDWR are signatories to the *Standard Form 5*.

II. CONCLUSIONS OF LAW

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: August 24, 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

AUG 24 2009

In. Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 37-07792

By _____ Clerk
Deputy Clerk

NAME AND ADDRESS: WILLIAM B COLLINS
574 EAST FORK RD
HAILEY, ID 83333

SOURCE: SPRINGS TRIBUTARY: EAST FORK WOOD RIVER

QUANTITY: 0.20 CFS
9.00 AFY

PRIORITY DATE: 10/06/1979

POINT OF DIVERSION: T04N R18E S25 NESWSE Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	0.06 CFS
			9.00 AFY
	Recreation	01-01 TO 12-31	0.20 CFS

Use of water under this license for recreation purposes shall be
non-consumptive.

PLACE OF USE: Irrigation Within Blaine County
T04N R18E S25 SWSE 3.0
3.0 Acres Total

Recreation Within Blaine County
Same as Irrigation

Place of use does not include federal public lands.

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

AUG 24 2009

Bigelow & Selvey
SPECIAL MASTER

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

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DEPARTMENT OF
WATER RESOURCES

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AUG 25 2009

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
AUG 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): 37-07792

On August 24, 2009, Special Master BRIGETTE BILYEU 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 24, 2009.


JANET CONNELL
Deputy Clerk

RECEIVED
AUG 25 2009
DEPARTMENT OF
WATER RESOURCES

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

CERTIFICATE OF MAILING

Water Right(s) : 37-07792

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

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

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

WILLIAM B COLLINS
574 EAST FORK RD
HAILEY, ID 83333


JANET CONNELL
Deputy Clerk

CERTIFICATE OF MAILING

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08/24/09