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**DEPARTMENT OF
WATER RESOURCES**

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
SEP - 4 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

) Subcases 01-71C (Scott) and 01-71E
) (Table Rock Development LLC)
)
) SUPPLEMENTAL SPECIAL MASTER
) REPORT

Findings of Fact

On January 7, 2008, SBA Presiding Judge John M. Melanson entered an *Order Setting Aside Partial Decrees for Water Right Claims 01-71C and 01-71E and Order of Reference to Special Master Terrence Dolan for Further Proceedings*. On December 24, 2008, IDWR filed its *Amended Director's Reports, Subcase Nos. 01-71C & 01-71E*. No one objected to its recommendations.

Conclusions of Law

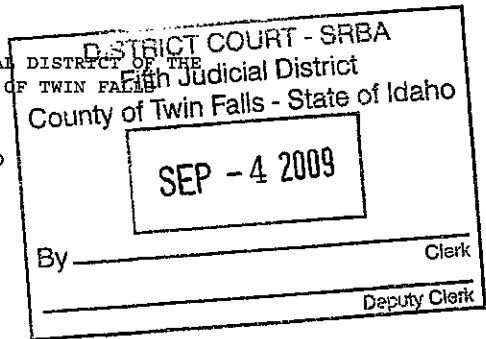
The claimants are entitled to partial decrees adjudicating water rights as recommended by IDWR in its *Amended Director's Reports* and as described in the attached *Special Master Recommendations for Partial Decrees for Water Rights 01-71C and 01-71E*.

DATED September 4, 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 01-00071C

NAME AND ADDRESS: R GENE SCOTT
4644 E 185 N
RIGBY, ID 83442

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

Water is delivered from the Dry Bed.

QUANTITY: 0.06 CFS

The right holder shall maintain a measuring device and lockable
controlling works of a type approved by the Department in a
manner that will provide the watermaster suitable control of the
diversion.

This right when combined with all other rights shall provide no
more than 4.0 afa per acre at the field headgate for irrigation
of the lands above.

PRIORITY DATE: 06/01/1890

POINT OF DIVERSION: T04N R40E S29 SWNE Within Jefferson County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.06 CFS

PLACE OF USE: Irrigation Within Jefferson County
T04N R40E S29 SENE 29.0
29.0 Acres Total

This right is limited to the irrigation of 1.5 acres within the
place of use described above in a single irrigation season.
The rights listed below are limited to the irrigation of a
combined total of 29 acres in a single irrigation season.
Combined Right Nos.: 01-35B, 01-71C, 01-177A, 01-10017.

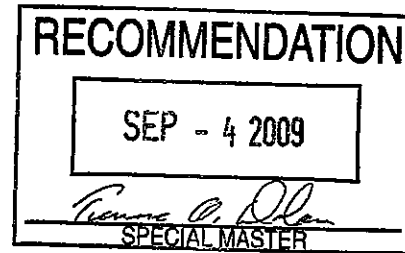
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

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

In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 01-00071E

SEP - 4 2009

By _____ Clerk
Deputy Clerk

NAME AND ADDRESS: TABLE ROCK DEVELOPMENT LLC
PO BOX 506
RIGBY, ID 83442

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

Water is delivered from the Dry Bed.

QUANTITY: 0.01 CFS

PRIORITY DATE: 06/01/1890

POINT OF DIVERSION: T04N R40E S27 SWSNW Within Jefferson County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.01 CFS

PLACE OF USE: Irrigation Within Jefferson County
T04N R40E S29 SENE 4.0
4.0 Acres Total

The rights listed below are limited to the irrigation of a combined total of 4 acres in a single irrigation season. Combined Right Nos.: 01-35E, 01-71E, 01-177D, 01-10494. This right is limited to the irrigation of 0.3 acres within the place of use described above in a single irrigation season.

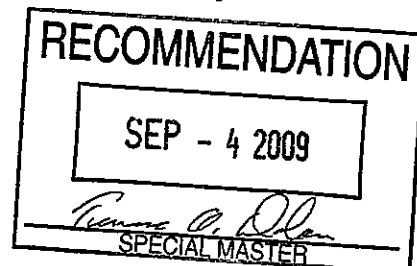
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

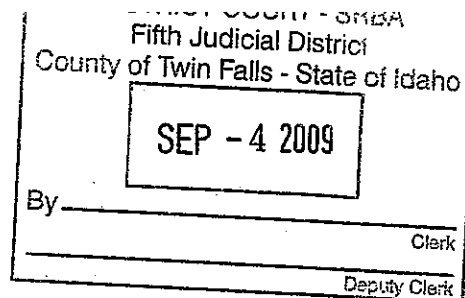
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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

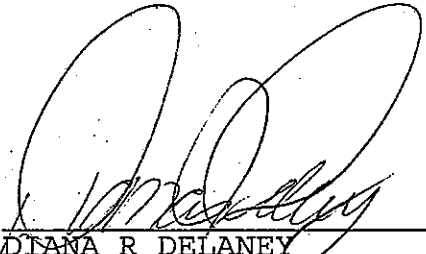
Water Right(s): 01-00071C
01-00071E

On September 04, 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 September 04, 2009.


DIANA R DELANEY
Deputy Clerk

DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
SEP - 4 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): 01-00071C
01-00071E

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 September 04, 2009, with sufficient first-class postage prepaid to the following:

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

R WYDELL JOHNSON
Represented by:
OLSEN, NATHAN M
BEARD ST. CLAIR GAFFNEY PA
2105 CORONADO ST
IDAHO FALLS, ID 83404-7495
Phone: 208-523-5171

TABLE ROCK DEVELOPMENT LLC
Represented by:
R. JAMES ARCHIBALD
525 9TH ST
IDAHO FALLS, ID 83404
Phone: 208-524-4002

CERTIFICATE OF MAILING

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09/04/09

R GENE SCOTT

Represented by:

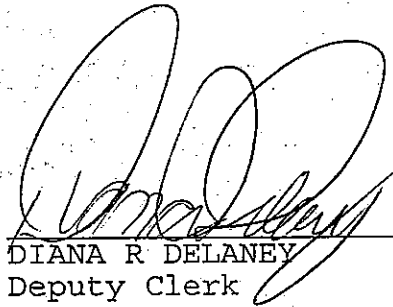
ROBERT L HARRIS

1000 RIVERWALK DR, STE 200

PO BOX 50130

IDAHO FALLS, ID 83405

Phone: 208-523-0620



DIANA R DELANEY
Deputy Clerk