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SEP 30 2009
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
SEP 29 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 AND
	)	RECOMMENDATION; FINDINGS OF
Case No. 39576	)	FACT AND CONCLUSIONS OF LAW
	)	
	)	FOR WATER RIGHTS: 22-2128,
	)	22-2281, and 22-10835
_____	)	

I. FINDINGS OF FACT

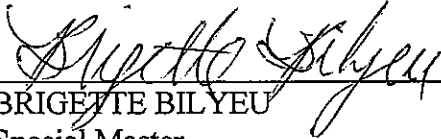
Claims were filed for these water rights pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources examined the water system for this reporting area. The *Director's Report* contained recommendations for the elements of these water rights.

Objections were filed by Sara Poch on July 17, 2007. The *Objections* were resolved with the filing of *Standard Forms 5*. All parties to the subcase and IDWR are signatories to the *Standard Forms 5*.

II. CONCLUSIONS OF LAW

Therefore, based on the file and record herein, IT IS RECOMMENDED that these water rights be decreed with the elements set forth in the attached *Special Master's Recommendations for Partial Decree*.

DATED: September 29, 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

SEP 29 2009

In Re SRBA)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 22-02128

By _____ Clerk
Deputy Clerk

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DEPARTMENT OF
WATER RESOURCES

NAME AND ADDRESS: MC CULLOCH RANCHES LLC
2628 CRUISE BAY
SALT LAKE CITY, UT 84121

SOURCE: GROUND WATER

QUANTITY: 3.08 CFS
690.00 AFY

Right Nos. 22-2128 and 22-10835 are limited to a total combined
diversion rate of 3.08 cfs.

PRIORITY DATE: 09/04/1948

POINT OF DIVERSION: T06N R45E S29 SESWNE Within Teton County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-15	3.08 CFS 690.00 AFY

PLACE OF USE:	Irrigation	Within Teton County
	T06N R45E S29	
	NENE 30.0	NWNE 36.0
	SWNE 40.0	SENE 37.0
	NENW 39.0	NWNW 33.0
	SWNW 11.0	SENE 39.0
	265.0 Acres Total	

Right Nos. 22-2128 and 22-10835 are limited to the irrigation of
a combined total of 265 acres in a single irrigation season.
This right is limited to the irrigation of 197 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.

RECOMMENDATION

SEP 29 2009

Bridgette Silbey
SPECIAL MASTER

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)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 22-02281

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
SEP 29 2009
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DEPARTMENT OF
WATER RESOURCES

NAME AND ADDRESS: MC CULLOCH RANCHES LLC
2628 CRUISE BAY
SALT LAKE CITY, UT 84121

SOURCE: GROUND WATER

QUANTITY: 1.44 CFS
456.00 AFY

PRIORITY DATE: 12/02/1966

POINT OF DIVERSION: T06N R45E S29 NESWSE Within Teton County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-15	1.44 CFS 456.00 AFY

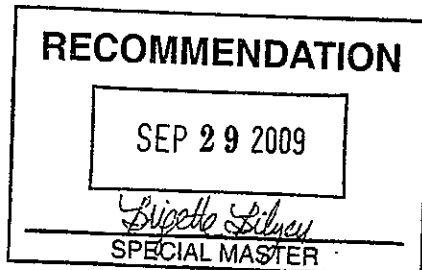
PLACE OF USE:	Irrigation	Within Teton County
	T06N R45E S29	NESW 20.0 SESW 37.0 NWSE 38.0 SWSE 38.0
	133.0 Acres Total	

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

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NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
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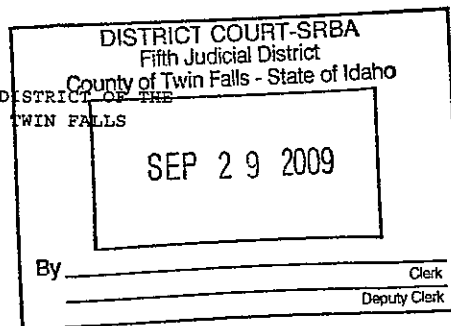


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 22-10835



NAME AND ADDRESS: MC CULLOCH RANCHES LLC
2628 CRUISE BAY
SALT LAKE CITY, UT 84121

SOURCE: GROUND WATER

QUANTITY: 1.06 CFS
238.00 AFY

Right Nos. 22-2128 and 22-10835 are limited to a total combined
diversion rate of 3.08 cfs.

PRIORITY DATE: 06/11/1961

POINT OF DIVERSION: T06N R45E S29 SESWNE Within Teton County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	1.06 CFS 238.00 AFY

PLACE OF USE:	Irrigation	Within Teton County
	T06N R45E S29	NENE 30.0 NWNE 36.0 SWNE 40.0 SENE 37.0 NENW 39.0 NWNW 33.0 SWNW 11.0 SENW 39.0
	265.0 Acres Total	

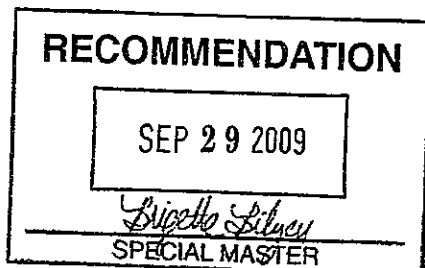
This right is limited to the irrigation of 68 acres within the
place of use described above in a single irrigation season.
Right Nos. 22-2128 and 22-10835 are limited to the irrigation
of a combined total of 265 acres in a single irrigation season.

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

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

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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

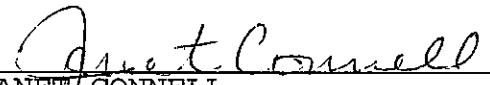
Water Right(s): 22-02128
22-02281 22-10835

On September 29, 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 September 29, 2009.


JANET CONNELL
Deputy Clerk

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SEP 29 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): 22-02128
22-02281 22-10835

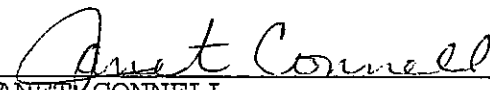
CERTIFICATE OF MAILING

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 29, 2009, with sufficient first-class postage prepaid to the following:

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

MC CULLOCH RANCHES LLC
2628 CRUISE BAY
SALT LAKE CITY, UT 84121

SARA (MCCULLOCH) POCH
2628 CRUISE BAY COURT
SALT LAKE CITY, UT 84121
Phone: 801-944-4959



JANET CONNELL
Deputy Clerk

CERTIFICATE OF MAILING

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09/29/09