

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

NOV 24 2009

In Re SRBA
Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 37-22432

By _____ Clerk
Deputy Clerk

RECEIVED

NOV 25 2009

DEPARTMENT OF
WATER RESOURCES

NAME AND ADDRESS: FLYING TRIANGLE INC
C/O WILLIAM N BRAILSFORD
PO BOX 180
HAGERMAN, ID 83332

SOURCE: BRUSH CREEK TRIBUTARY: CAMP CREEK
UNNAMED STREAM TRIBUTARY: BRUSH CREEK

QUANTITY: 0.02 CFS

The quantity of water under the following rights shall not
exceed a combined total diversion rate of 0.02 cfs and a combined
total quantity of 13,000 gallons per day. Combined Right Nos.:
37-22432 & 37-22433.

PRIORITY DATE: 12/31/1881

POINT OF DIVERSION: T01N R16E S10 NWSWSW (Instream Beginning Point) Within Camas County
S16 SENWNE (Instream Beginning Point)
S23 SESWNE (Instream Beginning Point)
S26 LOT 4 SENWNW (Instream Ending Point) Within Blaine County
S34 (NESWSW) (Instream Beginning Point)
NESENE (Instream Ending Point) Within Camas County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.02 CFS

PLACE OF USE:	Stockwater	Within Camas County
	T01N R16E S10	SWSW
	S14	SWSW
	S15	NWNW
		NESW
		SESW
		SESE
	S16	NENE
		SWNE
		NESE
	S23	NENW
	S26 LOT 4	(SWSW)
	S34	NENE
	S35	NWNW

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

The quantity of water decreed for this water right is not a
determination of historical beneficial use.

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).
RECOMMENDATION

NOV 24 2009

Bridgette Lilley
SPECIAL MASTER

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

NOV 24 2009

In Re SRBA)
Case No. 39576)

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

Water Right 37-22433

By _____ Clerk
Deputy Clerk

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NOV 25 2009

DEPARTMENT OF
WATER RESOURCES

NAME AND ADDRESS: FYLING TRIANGLE INC
C/O WILLIAM N BRAILSFORD
PO BOX 180
HAGERMAN, ID 83332

SOURCE: BRUSH CREEK TRIBUTARY: CAMP CREEK
UNNAMED STREAM TRIBUTARY: BRUSH CREEK

QUANTITY: 0.02 CFS

The quantity of water under the following rights shall not
exceed a combined total diversion rate of 0.02 cfs and a combined
total quantity of 13,000 gallons per day. Combined Right Nos.:
37-22432 & 37-22433.

PRIORITY DATE: 03/27/1894

POINT OF DIVERSION: T01N R16E S09 SENESE (Instream Beginning Point) Within Camas County
S22 SENESE (Instream Ending Point)
S23 NWNWNW (Instream Beginning Point) Within Blaine County
S26 LOT 3 NESWNW (Instream Beginning Point)
(NWSESW) (Instream Ending Point)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.02 CFS

PLACE OF USE:	Stockwater	Within Camas County	Within Blaine County
	T01N R16E S09	NESE	
	S22	NWNE	SWNE
		SENE	NENW
		NWNW	
	S23	SWNW	NESW
		NWSW	SESW
		SWSE	
	S26	NWNE	SWNE
		SENW	NESW
	LOT 3	(SESW)	

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

The quantity of water decreed for this water right is not a
determination of historical beneficial use.

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).

RECOMMENDATION

NOV 24 2009

Bucella Dilley
SPECIAL MASTER

RULE 54(b) CERTIFICATE

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

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DEPARTMENT OF
WATER RESOURCES

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

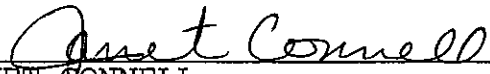
Water Right(s): 37-20403
37-22432 37-22433

On November 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.

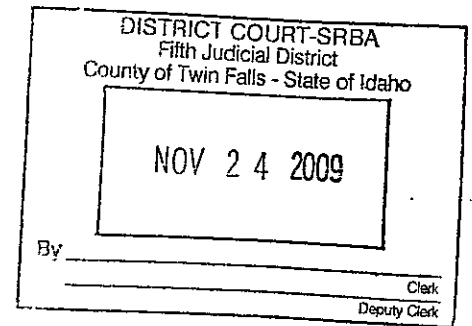
DATED November 24, 2009.


JANET CONNELL
Deputy Clerk

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NOV 25 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)

CERTIFICATE OF MAILING

Case No. 39576)

Water Right(s): 37-20403
37-22432 37-22433

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

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

FLYING TRIANGLE INC

Represented by:
PAUL L ARRINGTON
113 MAIN AVE W, STE 303
PO BOX 485
TWIN FALLS, ID 83303-0485
Phone: 208-733-0700

CERTIFICATE OF MAILING

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11/24/09

FLYING TRIANGLE INC

Represented by:
TRAVIS L THOMPSON
113 MAIN AVE W, STE 303
PO BOX 485
TWIN FALLS, ID 83303-0485
Phone: 208-733-0700

UNITED STATES OF AMERICA

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


JANET CONNELL
Deputy Clerk