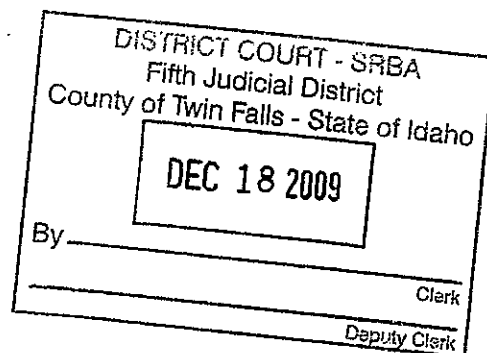


RECEIVED

DEC 21 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

) Subcase 24-2026

) (RVG Trust)

Case No. 39576

)

) ORDER GRANTING MOTION TO

) WITHDRAW OBJECTION and SPECIAL

) MASTER REPORT

Findings of Fact

The Director of the Idaho Department of Water Resources filed his *Director's Report, Irrigation & Other Uses, Reporting Area 14, IDWR Basin 24* on November 21, 2006. The Director recommended the claim, filed by RVG Trust, c/o Norm Sorensen, 5314 North, 250 West, Suite 210, Provo, Utah, 84604, be disallowed: "Change in use; insufficient evidence of date of change."

RVG Trust filed an *Objection* on January 17, 2007, objecting to the claim not being recommended as filed. The claimant was granted leave to amend its claim on November 15, 2007, and IDWR filed its *Amended Director's Report* on January 31, 2008, recommending the claim for 1.5 cfs from Webster Creek for year-'round diversion to storage and recreation storage and to irrigate 24.4 acres in Caribou County from April 15 to October 15 with a priority date of July 8, 1916, based on a license. RVG Trust filed an *Objection* on February 28, 2008, objecting to quantity and place of use.

A status conference was held on December 18, 2009. Robert H. Wood appeared for RVG Trust and Nicholas B. Spencer appeared for IDWR. Because RVG Trust was recently issued permit 24-10772 for an additional quantity, it moved to withdraw its *Objection*.

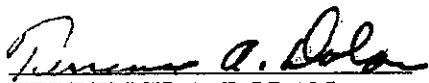
Order

THEREFORE, IT IS ORDERED that RVG Trust's motion to withdraw its *Objection* in subcase 24-2026 is **granted**.

Conclusions of Law

RVG Trust is entitled to a partial decree adjudicating a water right as recommended by IDWR in its January 31, 2008 *Amended Director's Report* and as described in the attached *Special Master Recommendation for Partial Decree for Water Right 24-2026*.

DATED December 18, 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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 24-02026

NAME AND ADDRESS: RVG TRUST
C/O NORM SORENSEN
5314 NORTH 250 WEST SUITE 210
PROVO, UT 84604

SOURCE: WEBSTER CREEK TRIBUTARY: SALT RIVER

QUANTITY: 1.50 CFS

THE CAPACITY OF THE STORAGE RESERVOIR IS 7.2 AF. THE RESERVOIR
MAY BE REFILLED MULTIPLE TIMES UP TO THE TOTAL DIVERSION VOLUME
IN A SINGLE YEAR.

PRIORITY DATE: 07/08/1916

POINT OF DIVERSION: T08S R46E S05 NWNESW Within Caribou County
NWNE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Diversion to Storage	01-01 TO 12-31	1.50 CFS
	Recreation Storage	01-01 TO 12-31	7.20 AFY
	Irrigation	04-15 TO 10-15	0.63 CFS

FROM 10/16 TO 4/14 ALL OVERFLOW WATER FROM THE PONDS MUST BE
RETURNED TO WEBSTER CREEK IN THE SWSESE OF SECTION 32, TOWNSHIP
7 SOUTH, RANGE 46 EAST OF THE B.M.

PLACE OF USE:	Irrigation	Within Caribou County
	T07S R46E S32 SESE 4.2	
	T08S R46E S05 NENE 0.6	NWNE 16.0
	LOT 5 (SWNE) 3.6	
	24.4 Acres Total	

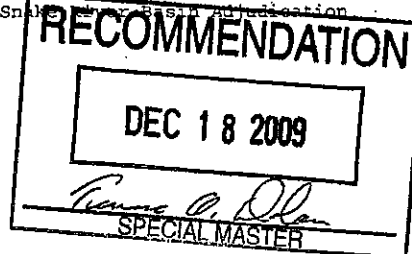
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

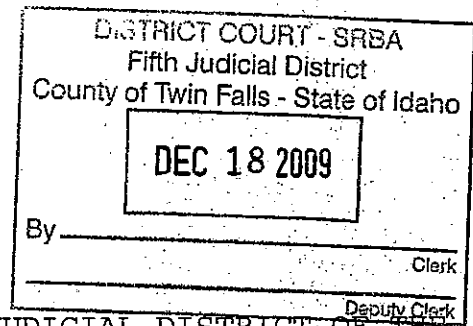
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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

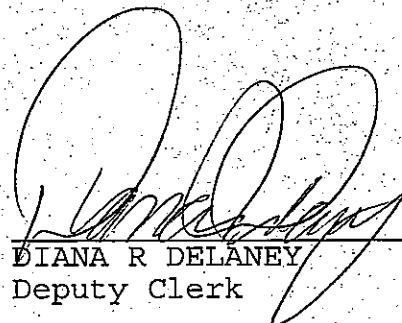
Water Right(s): 24-02026

On December 18, 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 December 18, 2009.



DIANA R DELANEY
Deputy Clerk

DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
DEC 18 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): 24-02026

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 December 18, 2009, with sufficient first-class postage prepaid to the following:

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

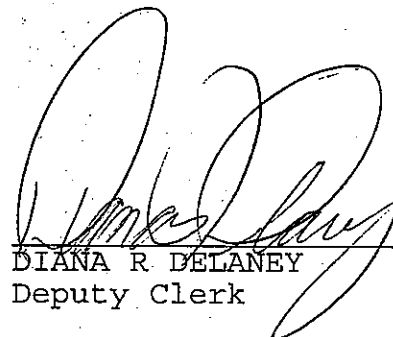
RVG TRUST

Represented by:
JERRY R. RIGBY
25 N 2ND E
PO BOX 250
REXBURG, ID 83440-0250
Phone: 208-356-3633

RVG TRUST

C/O NORM SORENSEN
5314 NORTH 250 WEST SUITE 210
PROVO, UT 84604
Phone: 801-228-9702

CERTIFICATE OF MAILING


DIANA R. DELANEY
Deputy Clerk

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12/18/09