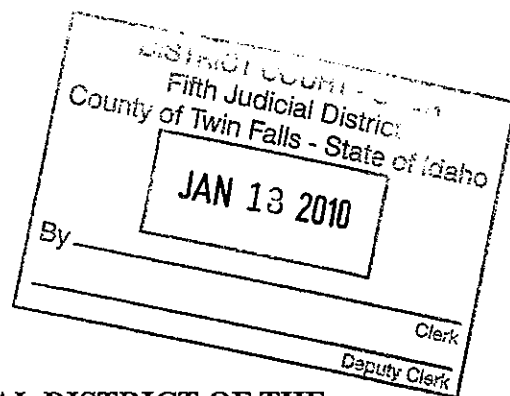


RECEIVED

JAN 14 2010

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

Case No. 39576

) SPECIAL MASTER'S REPORT
)
) FINDINGS OF FACT AND
) CONCLUSIONS OF LAW
)
) FOR WATER RIGHTS 47-00124A,
) 47-00125B, 47-00126B, 47-00144A,
) 47-00145, 47-00146, 47-00148B, 47-00157,
) 47-00167A, 47-02489, 47-07532, 47-07533,
) 47-14185, 47-14187, and 47-14188

I. FINDINGS OF FACT

Notices of claim were filed for the above-captioned water rights pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources (IDWR) examined the water system for this reporting area. The *Director's Report* contained a recommendation or abstract for the elements of these water rights.

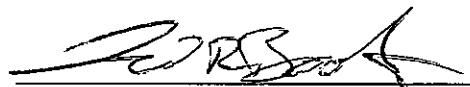
On September 14, 2007, the Twin Falls Canal Company, through its attorney Paul L. Arrington, filed an objection to the *Director's Report* for water right 47-02489 asserting that the source should be described as wastewater. The remaining subcases were identified as uncontested claims that may be affected by contested claim 47-02489. On January 5, 2010, the parties filed a *Standard Form 5 – Stipulated Elements of a Water Right* in subcase 47-02489 which resolved the objection. The Idaho Department of Water Resources concurred with the stipulation.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein and pursuant to the *Standard Form 5*, IT IS RECOMMENDED that water rights 47-00124A, 47-00125B, 47-00126B, 47-00144A, 47-

00145, 47-00146, 47-00148B, 47-00157, 47-00167A, 47-02489, 47-07532, 47-07533, 47-14185, 47-14187, and 47-14188 be **decreed** with the elements as set forth in the attached *Recommendations for Partial Decrees Pursuant to I.R.C.P. 54(b)*.

Dated Jan. 13, 2010



Theodore R. Booth
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 47-00124A

NAME AND ADDRESS: DAVID L FUNK
SHIRLENE FUNK
3040 N 3800 E
HANSEN, ID 83334

SOURCE: ROCK CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 1.00 CFS
422.50 AFY

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands below.

PRIORITY DATE: 04/30/1981

POINT OF DIVERSION: T11S R18E S23 SESESE Within Twin Falls County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.00 CFS 422.50 AFY

The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE:	Irrigation	Within Twin Falls County
	T11S R18E S23	NESW 35.0 NWSW 23.0 SESW 26.0 NWSE 9.0 SWSE 28.0 SESE 9.0
	130.0 Acres Total	

The rights listed below are limited to the irrigation of a combined total of 747 acres in a single irrigation season. Combined Right Nos.: 47-144a, 47-125b, 47-126b, 47-148b, 47-145, 47-146, 47-157, 47-167a, 47-2489, 47-7532, 47-7533, 47-14185, 47-14187, 47-14188, 47-124A

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).

RECOMMENDATION

JAN 13 2010

David B. Booth
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.

Eric J. Wildmman
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 47-00125B

NAME AND ADDRESS: DAVID L FUNK
3040 N 3800 E
HANSEN, ID 83334

DARRELL M FUNK
3173 N 4900 E
MURTAUGH, ID 83344

SOURCE: ROCK CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.50 CFS

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands below.

PRIORITY DATE: 04/01/1887

POINT OF DIVERSION: T11S R18E S36 NESESW Within Twin Falls County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.50 CFS

PLACE OF USE:	Irrigation	Within Twin Falls County
	T11S R18E S27 80.0 Acres Total	NENE 40.0 SENE 40.0

The rights listed below are limited to the irrigation of a combined total of 80 acres in a single irrigation season.
Combined Right Nos.: 47-125b, 47-126b, 47-148b

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.

Eric J. Wildmman
Presiding Judge of the

Snake River Basin Adjudication
RECOMMENDATION

JAN 13 2010

Eric J. Wildmman
SPECIAL MASTER

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 47-00126B

NAME AND ADDRESS: DAVID L FUNK
3040 N 3800 E
HANSEN, ID 83334

DARRELL M FUNK
3173 N 4900 E
MURTAUGH, ID 83344

SOURCE: ROCK CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.40 CFS

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands below.

PRIORITY DATE: 05/15/1888

POINT OF DIVERSION: T11S R18E S36 NESESW Within Twin Falls County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.40 CFS

PLACE OF USE:	Irrigation	Within Twin Falls County
	T11S R18E S27 NENE 40.0	SENE 40.0
	80.0 Acres Total	

The rights listed below are limited to the irrigation of a combined total of 80 acres in a single irrigation season.
Combined Right Nos.: 47-125b, 47-126b, 47-148b

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.

Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

RECOMMENDATION

JAN 13 2010

David B. Smith
SPECIAL MASTER

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 47-00144A

NAME AND ADDRESS: DAVID L FUNK
3040 N 3800 E
HANSEN, ID 83334

DARRELL M FUNK
3173 N 4900 E
MURTAUGH, ID 83344

SOURCE: ROCK CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.70 CFS

This right when combined with all other rights shall provide no
more than 0.02 cfs per acre for irrigation of the lands below.

PRIORITY DATE: 04/01/1875

POINT OF DIVERSION: T11S R18E S23 SESESE Within Twin Falls County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.70 CFS

PLACE OF USE:	Irrigation	Within Twin Falls County
	T11S R18E S23	SWNE 25.0 NWSE 12.0 NESE 35.0
	72.0 Acres Total	

The rights listed below are limited to the irrigation of a
combined total of 747 acres in a single irrigation season.
Combined Right Nos.: 47-144a, 47-125b, 47-126b, 47-145, 47-146,
47-157, 47-167a, 47-148b, 47-2489, 47-7532, 47-7533, 47-14185,
47-14187, 47-14188, 47-124A

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.

Eric J. Wildmman

Presiding Judge of the
Snake River Basin adjudication

RECOMMENDATION

JAN 13 2010

David B. Booth
SPECIAL MASTER

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 47-00145

NAME AND ADDRESS: DAVID L FUNK
3040 N 3800 E
HANSEN, ID 83334

DARRELL M FUNK
3173 N 4900 E
MURTAUGH, ID 83344

SOURCE: WEST FORK ROCK CREEK TRIBUTARY: ROCK CREEK

QUANTITY: 0.60 CFS

This right when combined with all other rights shall provide no
more than 0.02 cfs per acre nor more than 4.0 afa per acre at
the field headgate for irrigation of the lands below.

PRIORITY DATE: 05/01/1888

POINT OF DIVERSION: T11S R18E S36 NESESW Within Twin Falls County

PURPOSE AND	PURPOSE OF USE	PERIOD OF USE	QUANTITY
PERIOD OF USE:	Irrigation	03-15 TO 11-15	0.60 CFS

PLACE OF USE:	Irrigation	Within Twin Falls County
	T11S R18E S26	NENW 40.0
	80.0 Acres Total	NWNW 40.0

The rights listed below are limited to the irrigation of a
combined total of 747 acres in a single irrigation season.
Combined Right Nos.: 47-144a, 47-125b, 47-126b, 47-145, 47-146,
47-157, 47-167a, 47-148b, 47-2489, 47-7532, 47-7533, 47-14185,
47-14187, 47-14188, 47-124A

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.

Eric J. Wildmman
Presiding Judge of the
Snake River Basin Adjudication

RECOMMENDATION

JAN 13 2010

Eric J. Wildmman
SPECIAL MASTER

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 47-00146

NAME AND ADDRESS: DAVID L FUNK
3040 N 3800 E
HANSEN, ID 83334

DARRELL M FUNK
3173 N 4900 E
MURTAUGH, ID 83344

SOURCE: ROCK CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.60 CFS

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands below.

PRIORITY DATE: 05/01/1888

POINT OF DIVERSION: T11S R18E S25 NENWSW Within Twin Falls County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.60 CFS

PLACE OF USE:	Irrigation	Within Twin Falls County
	T11S R18E S26	SWNW 40.0 SESW 40.0 NWSW 40.0
	160.0 Acres Total	

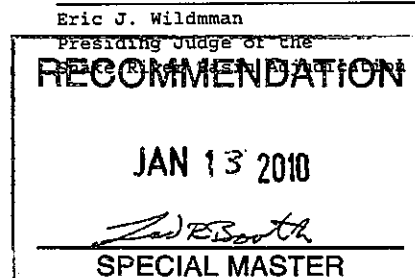
The rights listed below are limited to the irrigation of a combined total of 747 acres in a single irrigation season.
Combined Right Nos.: 47-144a, 47-125b, 47-126b, 47-145, 47-146, 47-157, 47-167a, 47-148b, 47-2489, 47-7532, 47-7533, 47-14185, 47-14187, 47-14188, 47-124A

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.



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 47-00148B

NAME AND ADDRESS: DAVID L FUNK
3040 N 3800 E
HANSEN, ID 83334

DARRELL M FUNK
3173 N 4900 E
MURTAUGH, ID 83344

SOURCE: ROCK CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 1.10 CFS

This right when combined with all other rights shall provide no
more than 0.02 cfs per acre for irrigation of the lands below.

PRIORITY DATE: 03/14/1892

POINT OF DIVERSION: T11S R18E S36 NESESW Within Twin Falls County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	1.10 CFS

PLACE OF USE:	Irrigation	Within Twin Falls County
	T11S R18E S27 NENE 40.0	SENE 40.0
	80.0 Acres Total	

The rights listed below are limited to the irrigation of a
combined total of 80 acres in a single irrigation season.
Combined Right Nos.: 47-125b, 47-126b, 47-148b

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.

Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

RECOMMENDATION

JAN 13 2010

David B. Booth
SPECIAL MASTER

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
Case No. 39576) I.R.C.P. 54(b) FOR
)
) Water Right 47-00157

NAME AND ADDRESS: DAVID L FUNK
3040 N 3800 E
HANSEN, ID 83334

DARRELL M FUNK
3173 N 4900 E
MURTAUGH, ID 83344

SOURCE: ROCK CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 6.18 CFS

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands below.

PRIORITY DATE: 03/14/1892

POINT OF DIVERSION: T11S R18E S23 SESESE Within Twin Falls County
S25 NWNWSW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	6.18 CFS

PLACE OF USE:	Irrigation	Within Twin Falls County
	T11S R18E S23	NESW 40.0
		SWSW 15.0
		NESE 40.0
		SESE 40.0
	S26	NWNE 40.0
		NWNW 40.0
		SENW 40.0
		NWSW 40.0
	615.0 Acres Total	

The rights listed below are limited to the irrigation of a combined total of 747 acres in a single irrigation season. Combined Right Nos.: 47-144a, 47-125b, 47-126b, 47-145, 47-146, 47-157, 47-167a, 47-148b, 47-2489, 47-7532, 47-7533, 47-14185, 47-14187, 47-14188, 47-124A

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).

RECOMMENDATION

JAN 13 2010

David R. South
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.

Eric J. Wildmman
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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 47-00167A

NAME AND ADDRESS: DAVID L FUNK
3040 N 3800 E
HANSEN, ID 83334

DARRELL M FUNK
3173 N 4900 E
MURTAUGH, ID 83344

SOURCE: ROCK CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.91 CFS

This right when combined with all other rights shall provide no
more than 0.02 cfs per acre for irrigation of the lands below.

PRIORITY DATE: 03/14/1892

POINT OF DIVERSION: T11S R18E S36 NESESW Within Twin Falls County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.91 CFS

PLACE OF USE:	Irrigation	Within Twin Falls County
	T11S R18E S35	NENW 33.0
	64.0 Acres Total	NWNW 31.0

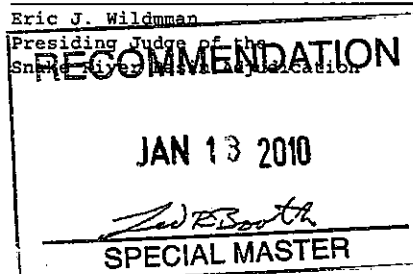
The rights listed below are limited to the irrigation of a
combined total of 64 acres in a single irrigation season.
Combined Right Nos.: 47-2485, 47-167a
The rights listed below are limited to the irrigation of a
combined total of 140 acres in a single irrigation season.
Combined Right Nos.: 47-144B, 47-167, 47-167A, 47-2485

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.



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 47-02489

NAME AND ADDRESS: DAVID L FUNK
3040 N 3800 E
HANSEN, ID 83334

DARRELL M FUNK
3173 N 4900 E
MURTAUGH, ID 83344

SOURCE: UNNAMED STREAM TRIBUTARY: ROCK CREEK

QUANTITY: 2.00 CFS

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands below.

PRIORITY DATE: 11/06/1915

POINT OF DIVERSION: T11S R18E S24 NWSWSW Within Twin Falls County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	2.00 CFS

PLACE OF USE:	Irrigation	Within Twin Falls County
	T11S R18E S23	SWNE 40.0 NWSE 40.0 SESE 25.0
	165.0 Acres Total	NESE 30.0 SWSE 30.0

The rights listed below are limited to the irrigation of a combined total of 747 acres in a single irrigation season. Combined Right Nos.: 47-144a, 47-125b, 47-126b, 47-145, 47-146, 47-157, 47-167a, 47-148b, 47-2489, 47-7532, 47-7533, 47-14185, 47-14187, 47-14188, 47-124A

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

The source of this water right includes waste water. The wasting of water may be discontinued at any time.

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

JAN 13 2010

David R. Booth
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.

Eric J. Wildmman
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 47-07532

NAME AND ADDRESS: DAVID L FUNK
3040 N 3800 E
HANSEN, ID 83334

DARRELL M FUNK
3173 N 4900 E
MURTAUGH, ID 83344

SOURCE: GROUND WATER

QUANTITY: 1.40 CFS
480.00 AFY

The rights listed below are limited to a total combined
diversion rate of 2.96 cfs. Combined Right Nos.: 47-7532, 47-7533
This right when combined with all other rights shall provide no
more than 0.02 cfs per acre nor more than 4.0 afa per acre at
the field headgate for irrigation of the lands below.

PRIORITY DATE: 06/28/1972

POINT OF DIVERSION: T11S R18E S26 SWSWNE Within Twin Falls County
NWSWNW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	1.40 CFS 480.00 AFY

PLACE OF USE:	Irrigation	Within Twin Falls County
	T11S R18E S26 SWNW 40.0	
	S27 NENE 40.0	SENE 40.0
	120.0 Acres Total	

The rights listed below are limited to the irrigation of a
combined total of 747 acres in a single irrigation season.
Combined Right Nos.: 47-144a, 47-125b, 47-126b, 47-145, 47-146,
47-157, 47-167a, 47-148b, 47-2489, 47-7532, 47-7533, 47-14185,
47-14187, 47-14188, 47-124A

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).

RECOMMENDATION

JAN 13 2010

David B. Booth
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.

Eric J. Wildmman
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 47-07533

NAME AND ADDRESS: DAVID L FUNK
3040 N 3800 E
HANSEN, ID 83334

DARRELL M FUNK
3173 N 4900 E
MURTAUGH, ID 83344

SOURCE: GROUND WATER

QUANTITY: 2.00 CFS
620.00 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands below.
The rights listed below are limited to a total combined diversion rate of 2.96 cfs. Combined Right Nos.: 47-7532, 47-7533

PRIORITY DATE: 06/28/1972

POINT OF DIVERSION: T11S R18E S26 SWSWNE Within Twin Falls County
NWSWNW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	2.00 CFS 620.00 AFY

PLACE OF USE:	Irrigation	Within Twin Falls County
	T11S R18E S26	NWNE 40.0 SWNE 11.0 NENW 30.0 NWNW 35.0 SENE 39.0
	155.0 Acres Total	

The rights listed below are limited to the irrigation of a combined total of 747 acres in a single irrigation season.
Combined Right Nos.: 47-144a, 47-125b, 47-126b, 47-145, 47-146, 47-157, 47-167a, 47-148b, 47-2489, 47-7532, 47-7533, 47-14185, 47-14187, 47-14188, 47-124A

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)

RECOMMENDATION

JAN 13 2010

Lee B. Booth
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.

Eric J. Wildmman
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 47-14185

NAME AND ADDRESS: DAVID L FUNK
3040 N 3800 E
HANSEN, ID 83334

DARRELL M FUNK
3173 N 4900 E
MURTAUGH, ID 83344

SOURCE: GROUND WATER

QUANTITY: 0.90 CFS
320.00 AFY

This right when combined with all other rights shall provide no
more than 0.02 cfs per acre nor more than 4.0 afa per acre at
the field headgate for irrigation of the lands below.

PRIORITY DATE: 03/15/1963

POINT OF DIVERSION: T11S R18E S26 SESWNE Within Twin Falls County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.90 CFS 320.00 AFY

PLACE OF USE:	Irrigation	Within Twin Falls County
	T11S R18E S26 80.0 Acres Total	NESW 40.0 NWSW 40.0

The rights listed below are limited to the irrigation of a
combined total of 747 acres in a single irrigation season.
Combined Right Nos.: 47-144a, 47-125b, 47-126b, 47-145, 47-146,
47-157, 47-167a, 47-148b, 47-2489, 47-7532, 47-7533, 47-14185,
47-14187, 47-14188, 47-124A

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).

RECOMMENDATION

JAN 13 2010

David B. Smith
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.

Eric J. Wildmman
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)
) PARTIAL DECREE PURSUANT TO
Case No. 39576) I.R.C.P. 54(b) FOR
)
) Water Right 47-14187

NAME AND ADDRESS: DAVID L FUNK
3040 N 3800 E
HANSEN, ID 83334

DARRELL M FUNK
3173 N 4900 E
MURTAUGH, ID 83344

SOURCE: GROUND WATER

QUANTITY: 2.40 CFS
640.00 AFY

This right when combined with all other rights shall provide no
more than 0.02 cfs per acre nor more than 4.0 afa per acre at
the field headgate for irrigation of the lands below.

PRIORITY DATE: 03/15/1963

POINT OF DIVERSION: T11S R18E S26 SWSENW Within Twin Falls County
SWSENW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	2.40 CFS 640.00 AFY

PLACE OF USE:	Irrigation	Within Twin Falls County
	T11S R18E S26	SWNW 40.0 SENW 40.0 NESW 40.0 NWSW 40.0
	160.0 Acres Total	

The rights listed below are limited to the irrigation of a
combined total of 747 acres in a single irrigation season.
Combined Right Nos.: 47-144a, 47-125b, 47-126b, 47-145, 47-146,
47-157, 47-167a, 47-148b, 47-2489, 47-7532, 47-7533, 47-14185,
47-14187, 47-14188, 47-124A

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(5).

RECOMMENDATION

JAN 13 2010

David B. Booth
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.

Eric J. Wildmman
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)
) PARTIAL DECREE PURSUANT TO
Case No. 39576) I.R.C.P. 54(b) FOR
) Water Right 47-14188

NAME AND ADDRESS: DAVID L FUNK
3040 N 3800 E
HANSEN, ID 83334

DARRELL M FUNK
3173 N 4900 E
MURTAUGH, ID 83344

SOURCE: GROUND WATER

QUANTITY: 1.60 CFS
596.00 AFY

This right when combined with all other rights shall provide no
more than 0.02 cfs per acre nor more than 4.0 afa per acre at
the field headgate for irrigation of the lands below.

PRIORITY DATE: 03/15/1963

POINT OF DIVERSION: T11S R18E S26 SENENW Within Twin Falls County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	1.60 CFS 596.00 AFY

PLACE OF USE:	Irrigation	Within Twin Falls County
	T11S R18E S23	NWSE 11.0 SWSE 40.0
		SESE 18.0
	S26	NENE 40.0 NWNE 40.0
	149.0 Acres Total	

The rights listed below are limited to the irrigation of a
combined total of 747 acres in a single irrigation season.
Combined Right Nos.: 47-144a, 47-125b, 47-126b, 47-145, 47-146,
47-157, 47-167a, 47-148b, 47-2489, 47-7532, 47-7533, 47-14185,
47-14187, 47-14188, 47-124A

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).

RECOMMENDATION

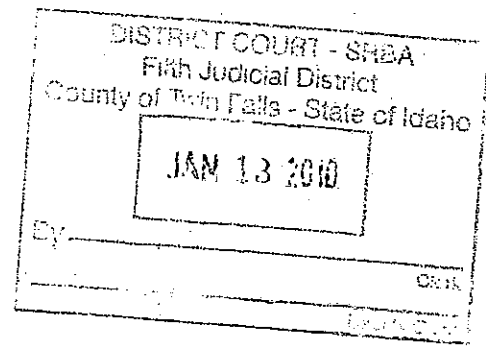
JAN 13 2010

Lawrence Booth
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.

Eric J. Wildmman
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): 47-00124A
(SEE ATTACHED EXHIBIT A)

On January 13, 2010, Special Master THEODORE R. BOOTH 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 January 13, 2010.

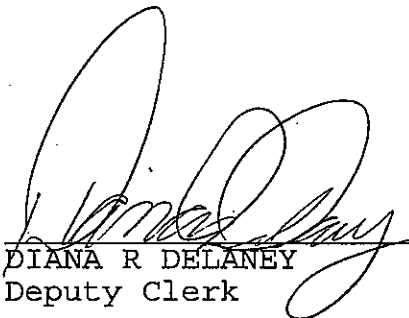
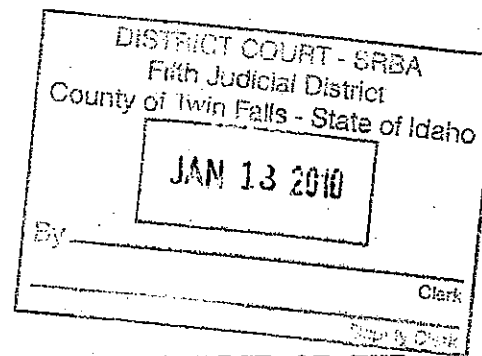

DIANA R DELANEY
Deputy Clerk

Exhibit A

Subcase Nos:

47-00124A
47-00125B
47-00126B
47-00144A
47-00145
47-00146
47-00148B
47-00157
47-00167A
47-02489
47-07532
47-07533
47-14185
47-14187
47-14188



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): 47-00124A
(SEE ATTACHED EXHIBIT A)

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 January 13, 2010, with sufficient first-class postage prepaid to the following:

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

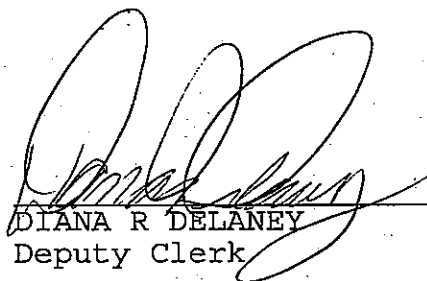
TWIN FALLS CANAL COMPANY
Represented by:
PAUL L ARRINGTON
113 MAIN AVE W, STE 303
PO BOX 485
TWIN FALLS, ID 83303-0485
Phone: 208-733-0700

DAVID L FUNK
SHIRLENE FUNK
3040 N 3800 E
HANSEN, ID 83334
Phone: 208-423-4583

CERTIFICATE OF MAILING

PAGE 1
01/13/10

DARRELL M FUNK
3173 N 4900 E
MURTAUGH, ID 83344
Phone: 208-432-5386



DIANA R DELANEY
Deputy Clerk

Exhibit A

Subcase Nos:

47-00124A
47-00125B
47-00126B
47-00144A
47-00145
47-00146
47-00148B
47-00157
47-00167A
47-02489
47-07532
47-07533
47-14185
47-14187
47-14188