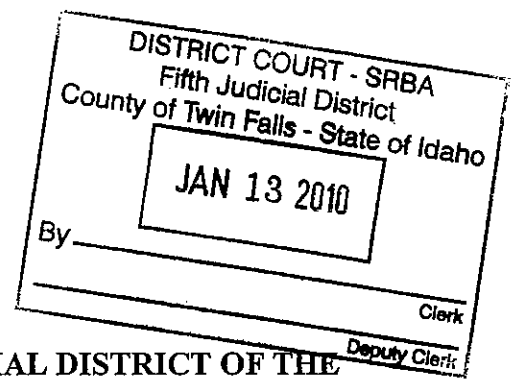


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JAN 14 2010

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
) AND RECOMMENDATION ON
) MOTION TO SET ASIDE PARTIAL
) DECREE
)
) FOR WATER RIGHT 79-04288

A *Partial Decree* was issued for water right 79-04288 on February 20, 2008. In the course of proceeding on an objection to related water right 63-04285 the claimant, the City of Grangeville, through its attorney Adam Green, moved to have the *Partial Decree* for 79-04288 set aside and an amended partial decree reissued.

On October 19, 2009, the Idaho Department of Water Resources issued an *Amended Director's Report* for water right 79-04288. The *Amended Director's Report* was published on the Court's docket sheet in November 2009, and objections were due by November 30, 2009. No objections were filed to the *Amended Director's Report* and the time for objecting has expired.

Therefore based on the file and record herein, IT IS RECOMMENDED that an **amended partial decree** be issued for water right 79-04285 with the elements as set forth in the attached *Recommendation for Partial Decree 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

AMENDED

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
Case No. 39576) I.R.C.P. 54(b) FOR
) Water Right 79-04288

NAME AND ADDRESS: CITY OF GRANGEVILLE
225 W NORTH ST
GRANGEVILLE, ID 83530

SOURCE: GROUND WATER

QUANTITY: 0.65 CFS
114.00 AFY

PRIORITY DATE: 04/15/1961

POINT OF DIVERSION: T30N R02E S25 SWNW Within Idaho County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.65 CFS 114.00 AFY

PLACE OF USE: Irrigation Within Idaho County
T30N R02E S25 SWNW 26.0
S26 SENE 12.0
38.0 Acres Total

Right Nos. 79-4285 and 79-4288 are limited to the irrigation of
a combined total of 38 acres 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

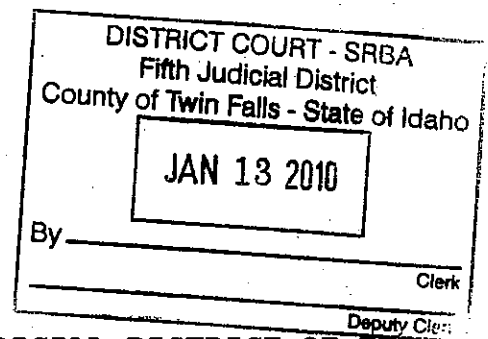
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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.

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

RECOMMENDATION

JAN 13 2010

Lawrence 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)
Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

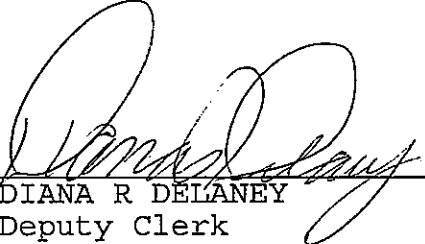
Water Right(s): 79-04288

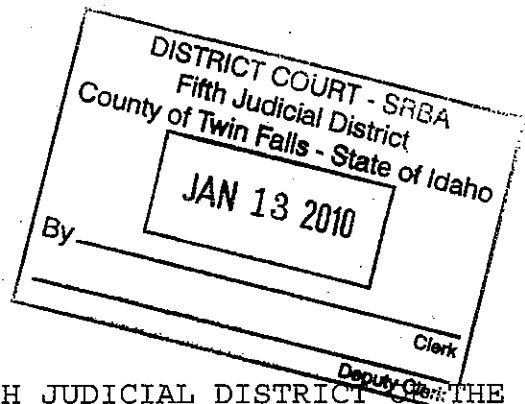
On January 13, 2010, Special Master THEODORE R. BOOTH issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

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



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): 79-04288

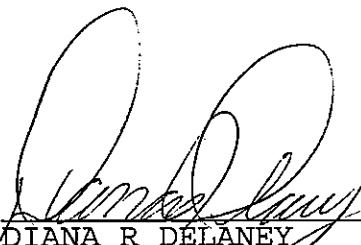
CERTIFICATE OF MAILING

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

CITY OF GRANGEVILLE

Represented by:
ADAM GREEN
GRANGEVILLE CITY ATTORNEY
401 W NORTH ST
PO BOX 246
GRANGEVILLE, ID 83530
Phone: 208-983-3089


DIANA R DELANEY
Deputy Clerk

CERTIFICATE OF MAILING

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01/13/10