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JAN 26 2010

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
JAN 25 2010
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

) SPECIAL MASTER'S REPORT AND
) RECOMMENDATION; FINDINGS OF
) FACT AND CONCLUSIONS OF LAW

) WATER RIGHT NO.: 27-12096
)
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I. FINDINGS OF FACT

A claim was filed for this water right 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 a recommendation for the elements of this water right.

An *Objection* was filed by the Shoshone-Bannock Tribes on March 10, 2006. The *Objection* was resolved on May 10, 2007 with a *Standard Form 5*. A *Special Master's Report and Recommendation* was filed June 1, 2007, and the SRBA District Court issued a *Partial Decree* on August 13, 2007. However, the Idaho Department of Water Resources notified the court by letter November 18, 2008 that the original recommendation contained an error which needed to be corrected. This subcase was then sent back to the Special Master. *Order of Reference Appointing Special Master* (Jan 8, 2009). Several hearings were held regarding the needed correction, and the parties to this subcase filed a *Standard Form 5/Amended Claim* on November 24, 2009. All parties to the subcase and IDWR are signatories to the *Standard Form 5/Amended Claim*.

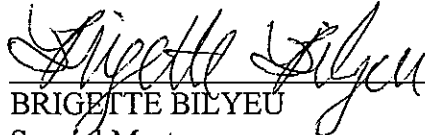
The *Standard Form 5/Amended Claim* was placed on the Docket Sheet. No objections were

filed and the time for filing such objections has now expired. There are no unresolved objections remaining in this subcase.

II. CONCLUSIONS OF LAW

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

DATED: January 25, 2010.



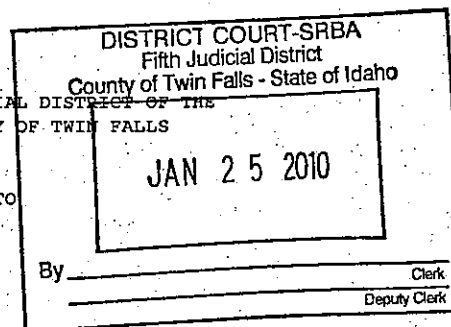
BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)

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

Water Right 27-12096



NAME AND ADDRESS: MEADOW CREEK RANCH
C/O DAVID BOSEN
2545 W 2400 N
PRESTON, ID 83263

MEADOW CREEK RANCH
2330 S DALLIN ST
SALT LAKE CITY, UT 84109

SOURCE: SPRING TRIBUTARY: MEADOW CREEK

QUANTITY: 0.02 CFS
5.53 AFY

The quantity of water under this right shall not exceed 13,000
gallons per day.

PRIORITY DATE: 04/01/1890

POINT OF DIVERSION: T04S R42E S33 SESE Within Bonneville County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Stockwater	03-15 TO 12-01	0.02 CFS
		4.93 AFY
Domestic	01-01 TO 12-31	0.02 CFS
		0.60 AFY

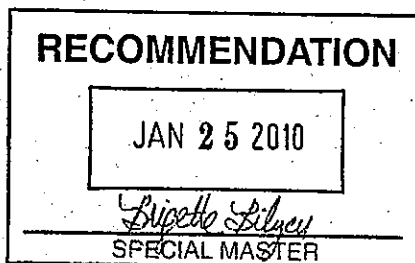
Domestic use is for 1 cabin.

PLACE OF USE:

Stockwater		Within Bonneville County
T04S R42E S33	SESE	
Domestic		Within Bonneville County
T04S R42E S33	SESE	

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

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In Re SRBA)

Case No. 39576)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

Water Right(s) : 27-12096

On January 25, 2010, Special Master BRIGETTE BILYEU issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (A01), 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 25, 2010.


JANET CONNELL
Deputy Clerk

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In Re SRBA

Case No. 39576

CERTIFICATE OF MAILING

Water Right(s): 27-12096

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 25, 2010, with sufficient first-class postage prepaid to the following:

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

SHOSHONE-BANNOCK TRIBES

Represented by:

JEANETTE WOLFLEY
SPECIAL COUNSEL
SHOSHONE-BANNOCK TRIBE
202 N ARTHUR
POCATELLO, ID 83202
Phone: 208-232-1922

STATE OF IDAHO

Represented by:

NATURAL RESOURCES DIV CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
PO BOX 44449
BOISE, ID 83711-4449

CERTIFICATE OF MAILING

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01/25/10

MEADOW CREEK RANCH
C/O DAVID BOSEN
2545 W 2400 N
PRESTON, ID 83263
Phone: 208-852-1726

MEADOW CREEK RANCH
2330 S DALLIN ST
SALT LAKE CITY, UT 84109
Phone: 801-467-9512


JANET CONNELL
Deputy Clerk