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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho
MAR 10 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) SPECIAL MASTER'S REPORT
Case No. 39576)
) FINDINGS OF FACT AND
) CONCLUSIONS OF LAW
)
) FOR WATER RIGHT 67-04456

I. FINDINGS OF FACT

A notice of claim was filed for the above-captioned water right 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 this water right.

No objections were filed to the *Director's Report* for this water right. However, on November 6, 2008, IDWR filed an *Amended Director's Report* for the purpose of correcting the irrigation place of use. No objections were filed to the *Amended Director's Report*, and the time for objecting has expired. Accordingly, this water right may be decreed with the elements as set forth in the *Amended Director's Report*.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein, IT IS RECOMMENDED that water right 67-04456 be **decreed** with the elements as set forth in the attached *Recommendation for Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated March 10, 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)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 67-04456

NAME AND ADDRESS: ANITA A WILLIAMSON
WAYNE W WILLIAMSON
1691 THOUSAND SPRINGS RD
WEISER, ID 83672

SOURCE: SPRINGS TRIBUTARY: MANN CREEK

QUANTITY: 0.07 CFS

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

PRIORITY DATE: 01/01/1913

POINT OF DIVERSION: T12N R04W S19 NWSNW Within Washington County
NWNWSE
S29 NWSWNW
S30 NWSWNE
SESENE
SENWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.01 CFS
	Stockwater	01-01 TO 12-31	0.06 CFS

PLACE OF USE: Irrigation
T12N R04W S29 NWSW 1.2 Within Washington County
S30 SENE 2.3 NESE 17.0
NWSE 3.9
24.4 Acres Total

Stockwater Within Washington County

T12N R04W	S	E	W	SW	SE	NE	NW
S17	SWSW						
S18	SENE				NESE		
	SWSE				SESE		
S19	NENE				NWNE		
	SWNE				SENE		
	SENW				NESW		
	SESW				NESE		
	NWSE				SWSE		
	SESE						
S20	NWNW				SWNW		
	SENW				NESW		
	NWSW				SWSW		
	SESW						
S29	NWNE				SWNE		
	NENW				NWNW		
	SWNW				SENW		
	NESW				NWSW		
S30	NENE				NWNE		
	SWNE				SENE		
	SENW				NESW		
	NESE				NWSE		

The rights listed below are limited to the irrigation of a
combined total of 474.3 acres in a single irrigation season.
Combined Right Nos.: 67-7189, 67-10383, 67-10384, 67-4456

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

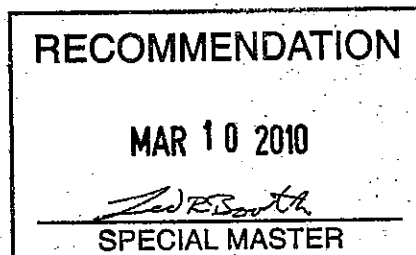
The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

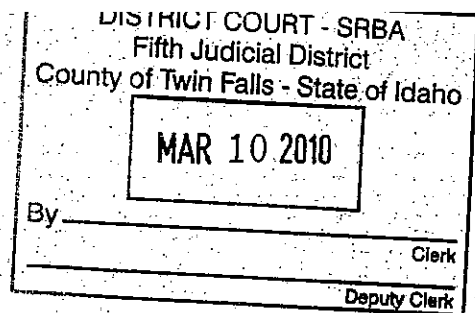
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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





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): 67-04456

On March 10, 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.

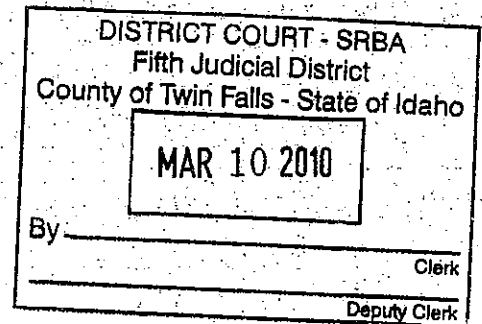
Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

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 March 10, 2010.

A handwritten signature in cursive script, appearing to read "Diana R. Delaney", written over a horizontal line.

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)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 67-04456

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 March 10, 2010, with sufficient first-class postage prepaid to the following:

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

ANITA A WILLIAMSON
WAYNE W WILLIAMSON
1691 THOUSAND SPRINGS RD
WEISER, ID 83672
Phone: 208-549-3650

DIANA R DELANEY
Deputy Clerk

CERTIFICATE OF MAILING

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03/10/10