

DEPARTMENT OF  
WATER RESOURCES

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

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

APR 15 2010

In Re SRBA )  
Case No. 39576 )  
\_\_\_\_\_ )

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 37-07663

By \_\_\_\_\_ Clerk  
Deputy Clerk

RECEIVED

APR 16 2010

DEPARTMENT OF  
WATER RESOURCES

NAME AND ADDRESS: THOMAS M O GARA FAMILY TRUST  
112 PRICE LN  
BELLEVUE, ID 83313

SOURCE: GROUND WATER

QUANTITY: 0.10 CFS  
4.40 AFY

PRIORITY DATE: 08/25/1977

POINT OF DIVERSION: T01S R19E S15 SWSE Within Blaine County

PURPOSE AND

| PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|----------------|----------------|----------------|----------|
|                | Irrigation     | 04-01 TO 11-01 | 0.02 CFS |
|                |                |                | 3.50 AFY |
|                | Stockwater     | 01-01 TO 12-31 | 0.02 CFS |
|                |                |                | 0.20 AFY |
|                | Domestic       | 01-01 TO 12-31 | 0.06 CFS |
|                |                |                | 1.20 AFY |

PLACE OF USE: Irrigation Within Blaine County  
T01S R19E S15 SWSE 1.0  
1.0 Acres Total

Stockwater Within Blaine County  
T01S R19E S15 SWSE

Domestic Within Blaine County  
T01S R19E S15 SWSE

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.

RECOMMENDATION

APR 15 2010

*Liggett Libbey*  
SPECIAL MASTER

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

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WATER RESOURCES

|                                                                                         |
|-----------------------------------------------------------------------------------------|
| DISTRICT COURT-SRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho |
| APR 15 2010                                                                             |
| By _____ Clerk<br>Deputy Clerk                                                          |

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
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NOTICE OF ISSUANCE OF  
SPECIAL MASTER'S  
RECOMMENDATION

Water Right(s) : 37-07663

On April 15, 2010, Special Master BRIGETTE BILYEU issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AOI), 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 April 15, 2010.

  
JANET CONNELL  
Deputy Clerk

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WATER RESOURCES

|                                                                                         |                       |
|-----------------------------------------------------------------------------------------|-----------------------|
| DISTRICT COURT-SRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho |                       |
| APR 15 2010                                                                             |                       |
| By _____                                                                                | Clerk<br>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) : 37-07663

CERTIFICATE OF MAILING

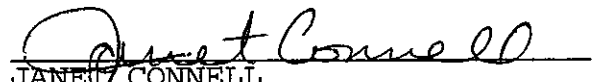
I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on April 15, 2010, with sufficient first-class postage prepaid to the following:

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

THOMAS M O GARA FAMILY TRUST

Represented by:

ALBERT P BARKER  
1010 W JEFFERSON, STE 102  
PO BOX 2139  
BOISE, ID 83701-2139  
Phone: 208-336-0700

  
JANET CONNELL  
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1  
04/15/10