

RECEIVED

MAY 28 2010

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
MAY 26 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
)
) FINDINGS OF FACT AND
) CONCLUSIONS OF LAW
)
) FOR WATER RIGHTS 63-03035,
63-04763, 63-04764, and 63-09637

I. FINDINGS OF FACT

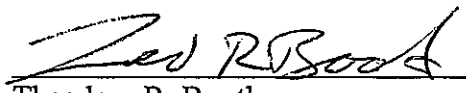
Notices of claim were filed for the above-captioned water rights pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources (IDWR) examined the water system for this reporting area. The *Director's Report* contained a recommendation or abstract for the elements of these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

No objections were filed to the *Director's Report* for the above captioned water right claims. However, on March 23, 2009, IDWR filed an *Amended Director's Report* for water rights 63-04763 and 63-04764 for the purpose of correcting an error in the original *Director's Reports* for these rights. No objections were filed to the *Amended Director's Report* and the objection time has expired.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein, IT IS RECOMMENDED that water rights 63-03035, 63-04763, 63-04764, and 63-09637 be decreed with the elements as set forth in the attached *Recommendations for Partial Decrees Pursuant to I.R.C.P. 54(b)*.

Dated May 24, 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 63-03035

NAME AND ADDRESS: WOODVIEW ACRES PROPERTY
OWNERS ASSN
C/O DON GOOD
3614 VISTA DR
NAMPA, ID 83686

SOURCE: GROUND WATER

QUANTITY: 0.30 CFS
135.00 AFY

PRIORITY DATE: 03/28/1955

POINT OF DIVERSION: T02N R02W S04 SWNWSW Within Canyon County
NESWSW
SWSESW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	0.30 CFS 135.00 AFY

PLACE OF USE: Irrigation Within Canyon County
T02N R02W S04 NWSW 6.5 SWSW 20.5
SESW 3.0
30.0 Acres Total

The rights listed below are limited to the irrigation of a combined total of 30 acres in a single irrigation season.
Combined Right Nos.: 63-3035, 63-4763, 63-4764

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

MAY 26 2010

Lawrence 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 63-04763

NAME AND ADDRESS: WOODVIEW ACRES PROPERTY OWNERS
ASSN.
C/O DON GOOD
3614 VISTA DR
NAMPA, ID 83686

SOURCE: GROUND WATER

QUANTITY: 0.13 CFS
46.40 APY

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

PRIORITY DATE: 06/01/1956

POINT OF DIVERSION: T02N R02W S04 SWNWSW Within Canyon County
NESWSW
SWSESW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	0.09 CFS
			46.40 APY
	Domestic	01-01 TO 12-31	0.13 CFS
Domestic use is for 7 homes.			

PLACE OF USE:	Irrigation	Domestic
	T02N R02W S04	Same as Irrigation
	30.0 Acres Total	
	NWSW 6.5 SESW 3.0	Within Canyon County
		SWSW 20.5

The rights listed below are limited to the irrigation of a
combined total of 30 acres in a single irrigation season.
Combined Right Nos.: 63-3035, 63-4763 and 63-4764.

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

The quantity of water decreed for this water right for domestic
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).

RECOMMENDATION

MAY 26 2010

John 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. 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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 63-04764

NAME AND ADDRESS: WOODVIEW ACRES PROPERTY OWNERS.
ASSN.
C/O DON GOOD
3614 VISTA DR
NAMPA, ID 83686

SOURCE: GROUND WATER

QUANTITY: 0.18 CFS
135.00 AFY

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

PRIORITY DATE: 11/11/1958

POINT OF DIVERSION: T02N R02W S04 SWNWSW Within Canyon County
NESWSW
SWSWSW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	0.18 CFS
	Domestic	01-01 TO 12-31	135.00 AFY
			0.11 CFS

Domestic use is for 7 homes.

PLACE OF USE:	Irrigation	Within Canyon County
	T02N R02W S04	NWSW 6.5 SESW 3.0
	30.0 Acres Total	SWSW 20.5
	Domestic	Within Canyon County
	T02N R02W S04	NWSW SESW
		SWSW

The rights listed below are limited to the irrigation of a
combined total of 30 acres in a single irrigation season.
Combined Right Nos.: 63-3035, 63-4763 and 63-4764.

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

The quantity of water decreed for this water right for domestic
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)

RECOMMENDATION

MAY 26 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. 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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 63-09637

NAME AND ADDRESS: WOODVIEW ACRES HOMEOWNERS ASSN
C/O MICHAEL CRANE
3514 JUANITA WAY
NAMPA, ID 83651

SOURCE: GROUND WATER

QUANTITY: 0.35 CFS
67.20 AFY

PRIORITY DATE: 04/16/1981

POINT OF DIVERSION: T02N R02W S04 SWNSW Within Canyon County
NESWSW
SWSESW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic	01-01 TO 12-31	0.35 CFS
			67.20 AFY

Domestic use is for 56 homes.

PLACE OF USE:	Domestic	Within Canyon County
	T02N R02W S04	SWSW
	NWSW	
	SESW	

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).

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

RECOMMENDATION

MAY 26 2010

Law R. 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

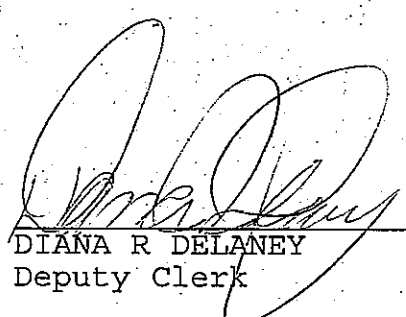
Water Right(s): 63-03035
63-04763 63-04764 63-09637

On May 26, 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.

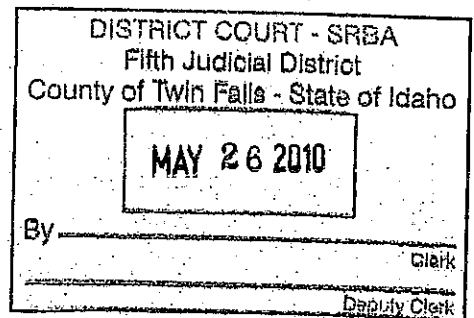
Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

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 May 26, 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)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 63-03035
63-04763 63-04764 63-09637

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 May 26, 2010, with sufficient first-class postage prepaid to the following:

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

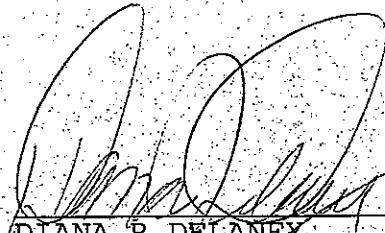
WOODVIEW ACRES PROPERTY OWNERS
ASSN
C/O DON GOOD
3614 VISTA DR
NAMPA, ID 83686
Phone: 208-467-3563

WOODVIEW ACRES PROPERTY
OWNERS ASSN
C/O DON GOOD
3614 VISTA DR
NAMPA, ID 83686
Phone: 208-467-3563

CERTIFICATE OF MAILING

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05/26/10

WOODVIEW ACRES HOMEOWNERS ASSN
C/O MICHAEL CRANE
3514 JUANITA WAY
NAMPA, ID 83651



DIANA R DELANEY
Deputy Clerk