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JUN 14 2010

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
JUN 11 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 AND
	)	RECOMMENDATION; FINDINGS OF
Case No. 39576	)	FACT AND CONCLUSIONS OF LAW
	)	
	)	WATER RIGHT NO.: 22-13915
_____	)	

I. FINDINGS OF FACT

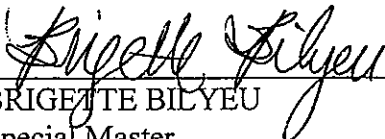
Claims were filed for water rights 22-683A and 22-683B pursuant to I.C. § 42-1409. Water right 22-13915 was created from portions of 22-683A and 22-683B. The Director of the State of Idaho Department of Water Resources examined the water system for this reporting area. The *Director's Report* contained recommendations for the elements of water rights 22-683A and 22-683B.

A *Notice of Completed Administrative Proceeding* was filed on April 7, 2009 which created water right 22-13915 from a portion of 22-683A and 22-683B. A *Standard Form 5* was filed on May 3, 2010. All parties to the subcase and IDWR are signatories to the *Standard Form 5*.

II. CONCLUSIONS OF LAW

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 Partial Decree*.

DATED: June 11, 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 22-13915

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DEPARTMENT OF
WATER RESOURCES

NAME AND ADDRESS: CRYSTAL SPRINGS LAND &
CATTLE INC
4581 FORTUNA WAY
SALT LAKE CITY, UT 84124

RICHARD HOWARD GEBHARD
PO BOX 168
VICTOR, ID 83455

CHERISE DODSON
GARY BLACK
GNJ PROPERTIES LLC
IDAHO INVESTMENT GROUP LLC
IGO INVESTMENTS 1 LLC
KPW HOLDINGS LLC
LANELLE PECK
MICHAEL DODSON
PENSCO TRUST COMPANY
RIF HOLDINGS 1 LLC
ROBERT ELMER
RYMI INVESTMENTS LLC
STILLWATER HOLDINGS LLC
STOLY ASSOCIATES LC
TRAVIS GUNNELL
TREVOR PECK
W STEVEN GUNNELL
4581 FORTUNA WAY
SALT LAKE CITY, UT 84124

SOURCE: POLE CREEK TRIBUTARY: SINKS

QUANTITY: 0.33 CFS

The rights listed below are limited to a total combined diversion
rate of 2.00 cfs. Combined Right Nos: 22-683A, 22-683B, and
22-13915.

The capacity of the storage reservoir is 1.8 AF. The volume of
water designated for recreation from storage allows the reservoir
to be refilled multiple times up to a total diversion volume of
18 AF during the period of October 10 to May 1.

PRIORITY DATE: 11/02/1989

POINT OF DIVERSION: T03N R45E S26 NENWSW Within Teton County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Recreation Storage	01-01 TO 12-31	1.80 AFY
Irrigation	07-01 TO 08-31	0.33 CFS
Recreation from Storage	10-10 TO 05-01	18.00 AFY
Diversion to Storage	10-01 TO 05-01	0.05 CFS

PLACE OF USE: Irrigation Within Teton County
T03N R45E S22 NESE 29.0 NWSE 13.0
SESE 1.8
S23 SWSW 4.0
47.8 Acres Total

PLACE OF USE (continued)

Recreation Storage
T03N R45E S23

SWSW

Within Teton County

The rights listed below are limited to the irrigation of a combined total of 47.8 acres in a single irrigation season. Combined Right Nos.: 22-683A, 22-683B, and 22-13915.
The rights listed below are limited to the irrigation of a combined total of 52.8 acres in a single irrigation season. Combined Right Nos.: 22-683A, 22-2279, and 22-13915.
Place of use does not include federal public lands.

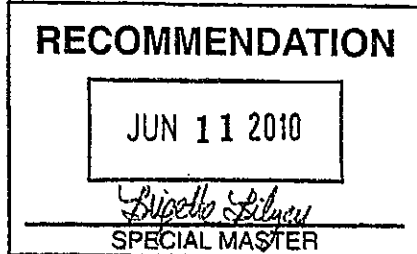
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Property is also known as Homestead Entry Survey No. 253 Tract A and B.

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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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)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

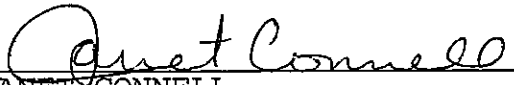
Water Right(s) : 22-13915

On June 11, 2010, Special Master BRIGETTE BILYEU
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 June 11, 2010.


JANET CONNELL
Deputy Clerk

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In Re SRBA)
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_____)

CERTIFICATE OF MAILING

Water Right(s): 22-13915

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 June 11, 2010, with sufficient first-class postage prepaid to the following:

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

CERTIFICATE OF MAILING

PAGE 1
06/11/10

CHERISE DODSON
CRYSTAL SPRINGS LAND &
CRYSTAL SPRINGS LAND & CATTLE
GARY BLACK
GNJ PROPERTIES LLC
IDAHO INVESTMENT GROUP LLC
IGO INVESTMENTS 1 LLC
KPW HOLDINGS LLC
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STOLY ASSOCIATES LC
TRAVIS GUNNELL
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W STEVEN GUNNELL

Represented by:

ROBERT L HARRIS
1000 RIVERWALK DR, STE 200
PO BOX 50130
IDAHO FALLS, ID 83405
Phone: 208-523-0620

RICHARD HOWARD GEBHARD

Represented by:

SEAN R MOULTON
PO BOX 631
DRIGGS, ID 83422
Phone: 208-354-2345


JANET CONNELL
Deputy Clerk