

RECEIVED
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.: 22-683A
_____	)	

I. FINDINGS OF FACT

A notice of 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.

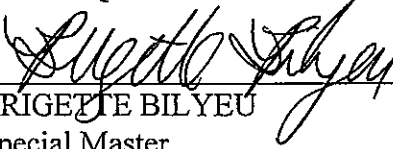
Objections were filed by the USDA Forest Service and Crystal Springs Land and Cattle, Inc. An *Amended Director's Report* was filed on March 25, 2009. The *Amended Director's Report* was placed on the Docket Sheet. *Objections* were filed to the *Amended Director's Report* by Richard Gebhard and Crystal Springs Land and Cattle, Inc. The *Objections* were resolved on May 3, 2010 with the filing of a *Standard Form 5*. All parties to the subcase and IDWR are signatories to the *Standard Form 5*.

The court also notes that a *Notice of Completed Administrative Proceeding* filed April 7, 2009 created water right 22-13915 from a portion of this right 22-683A and 22-683B.

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 Partial Decree*.

DATED: June 11, 2010.



BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

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

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

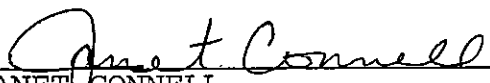
Water Right(s) : 22-00683A

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

)

CERTIFICATE OF MAILING

Case No. 39576

)

)

Water Right(s): 22-00683A

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
DODSON, MICHAEL
GARY BLACK
GNJ PROPERTIES LLC
GUNNELL, W STEVEN
IDAHO INVESTMENT GROUP LLC
IGO INVESTMENTS 1 LLC
KPW HOLDINGS LLC
PECK, LANELLE
PENSICO TRUST COMPANY
RIF HOLDINGS 1 LLC
ROBERT ELMER
RYMI INVESTMENTS LLC
STILLWATER HOLDINGS LLC
STOLY ASSOCIATES LC
TRAVIS GUNNELL
TREVOR PECK

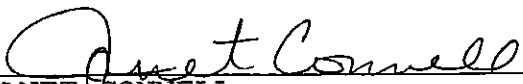
Represented by:
ROBERT L HARRIS
1000 RIVERWALK DR, STE 200
PO BOX 50130
IDAHO FALLS, ID 83405
Phone: 208-523-0620

RICHARD HOWARD GEBHARD

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

UNITED STATES OF AMERICA

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724


JANET CONNELL
Deputy Clerk