

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

JUN 11 2010

By _____ Clerk

Deputy Clerk

III. CONCLUSIONS AND RECOMMENDATIONS

Therefore, based on the file and record herein, IT IS RECOMMENDED that the *Motions to Set Aside Partial Decree* be **granted**, and that *Amended Partial Decrees* be issued with the elements set forth in the attached *Special Master's Recommendations for Amended Partial Decrees*. The recommended elements are consistent with the *Standard Forms 5*.

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

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

JUN 11 2010

By _____ Clerk
Deputy Clerk

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 37-00563

NAME AND ADDRESS: LITA WEST
PO BOX 100
CAREY, ID 83320

SOURCE: LITTLE WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 1.20 CFS

PRIORITY DATE: 05/30/1881

POINT OF DIVERSION: T01N R21E S30 NWSWE Within Blaine County

PURPOSE AND			
PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	1.20 CFS

PLACE OF USE:	Irrigation	Within Blaine County
	T01S R20E S13 LOT 1 (NENE) 4.1	NWNE 34.0
	SWNE 8.3	LOT 2 (SENE) 18.0
	LOT 3 (NESE) 8.7	
	T01N R21E S18 LOT 3 (NWSW) 8.8	LOT 4 (SWSW) 43.0
	SESW 36.0	SWSE 12.0
	S19 NENE 16.0	NWNE 29.0
	SWNE 34.0	SENE 37.0
	NENW 38.0	LOT 1 (NWNW) 28.0
	LOT 2 (SWNW) 8.6	SENE 16.0
	NESE 16.0	
	S20 NENE 16.0	NWNE 8.1
	SWNE 40.0	SENE 40.0
	NENW 14.0	NWNW 15.0
	SWNW 40.0	SENE 40.0
	NESW 40.0	NWSW 40.0
	SWSW 19.0	SESW 24.0
	NESE 40.0	NWSE 40.0
	SWSE 16.0	SESE 13.0
	840.6 Acres Total	

USE OF THIS RIGHT WITH RIGHT NO. 37-564 & 37-565 IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 360 ACRES IN A SINGLE
IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 360 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
THE RIGHTS LISTED BELOW ARE LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 495 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 37-563, 37-564, 37-565 AND 37-2595.

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).

RECOMMENDATION

JUN 11 2010

SPECIAL MASTER

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

JUN 11 2010

By _____ Clerk
Deputy Clerk

RECEIVED

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 37-00564

NAME AND ADDRESS: LITA WEST
PO BOX 100
CAREY, ID 83320

SOURCE: LITTLE WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 1.20 CFS

PRIORITY DATE: 05/30/1882

POINT OF DIVERSION: T01N R21E S30 NWSWSE Within Blaine County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 04-15 TO 10-31 1.20 CFS

PLACE OF USE: Irrigation Within Blaine County

T01S R20E S13 LOT 1	(NENE) 4.1	NWNE 34.0
	SWNE 8.3	LOT 2 (SENE) 18.0
LOT 3	(NESE) 8.7	
R21E S18 LOT 3	(NWSW) 8.8	LOT 4 (SWSW) 43.0
	SESW 36.0	SWSE 12.0
S19	NENE 16.0	NWNE 29.0
	SWNE 34.0	SENE 37.0
	NENW 38.0	LOT 1 (NWNW) 28.0
LOT 2	(SWNW) 8.6	SENE 16.0
	NESE 16.0	
S20	NENE 16.0	NWNE 8.1
	SWNE 40.0	SENE 40.0
	NENW 14.0	NWNW 15.0
	SWNW 40.0	SENE 40.0
	NESW 40.0	NWSW 40.0
	SWSW 19.0	SESW 24.0
	NESE 40.0	NWSE 40.0
	SWSE 16.0	SESE 13.0

840.6 Acres Total

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 360 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NO. 37-563 & 37-565 IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 360 ACRES IN A SINGLE
IRRIGATION SEASON.
THE RIGHTS LISTED BELOW ARE LIMITED TO THE IRRIGATION OF A
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COMBINED RIGHT NOS.: 37-563, 37-564, 37-565 and 37-2595.

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).

RECOMMENDATION

JUN 11 2010

Bridgette Silvey
SPECIAL MASTER

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)
Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

Water Right(s) : 37-00563
37-00564

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

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

Case No. 39576

CERTIFICATE OF MAILING

Water Right(s) : 37-00563
37-00564

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

LITA WEST

Represented by:
ROBERT E. WILLIAMS III
PO BOX 168
117 SOUTH ADAMS STREET
JEROME, ID 83338
Phone: 208-324-2303


JANET CONNELL
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
06/11/10