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JUL 12 2010

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
JUL - 9 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 NOS.: 37-2492,
	)	37-22051, and 37-22052

I. FINDINGS OF FACT

A claim was filed for each of these water rights 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 recommendations for the elements of these water rights.

Objections were filed by Sun Valley Ranch LLC, Tom O'Gara, John Stevenson, Bill Molyneux, Pete Van Der Muelen, Grace Eakin, Rocky Sherbine, Gerald Bashaw, Pepin Corso-Harris and Big Wood Canal Company. A Status Conference was held on January 20, 2010. At the hearing, Tom O'Gara, John Stevenson, Bill Molyneux, Pete Van Der Muelen, Grace Eakin, Rocky Sherbine, Gerald Bashaw, Pepin Corso-Harris, and Big Wood Canal Company made an oral *Motion to Withdraw Objections*. There was no opposition to the withdrawal of the *Objections*. *Order Dismissing Objections* (January 21, 2010).

The remaining *Objections* were resolved on June 11, 2010 with the filing of a *Standard Forms 5*. All parties to the subcase and IDWR are signatories to the *Standard Forms 5*.

II. CONCLUSIONS OF LAW

Based on the file and record herein, IT IS RECOMMENDED that these water rights be decreed with the elements set forth in the attached *Special Master's Recommendation for Partial Decrees*.

DATED: July 9, 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

JUL - 9 2010

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Clerk

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DEPARTMENT OF
WATER RESOURCES

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 37-02492

NAME AND ADDRESS: SUN VALLEY RANCH LLC
PO BOX 4380
KETCHUM, ID 83340

SOURCE: GROUND WATER

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

QUANTITY: 2.75 CFS
414.80 AFY

Right Nos. 37-2492 and 37-22051 are limited to a total combined diversion rate of 2.75 cfs.

PRIORITY DATE: 09/16/1948

POINT OF DIVERSION: T01S R18E S14 NENE Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	2.75 CFS 414.80 AFY

PLACE OF USE:	Irrigation	Within Blaine County
	T01S R18E S14	NENE 31.0 NWNE 14.0 SWNE 40.0 SENE 20.0 NENW 0.5 SENE 13.0
	118.5 Acres Total	

The rights listed below are limited to the irrigation of a combined total of 1168.5 acres in a single irrigation season. Combined Right Nos.: 37-60, 37-61, 37-62, 37-63A, 37-64A, 37-66A, 37-67B, 37-68A, 37-230, 37-231B, 37-232, 37-577AZ and 37-2492.

This right is the primary right for the irrigation of 84.5 acres within the place of use described above.

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

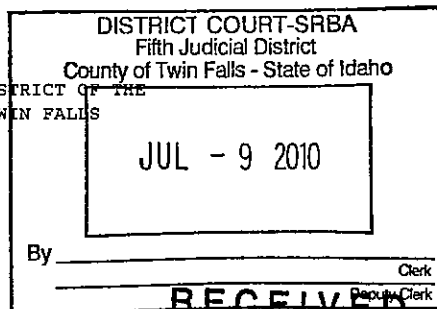
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RECOMMENDATION

JUL 09 2010

Bigelow
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 37-22051

JUL 12 2010

DEPARTMENT OF
WATER RESOURCES

NAME AND ADDRESS: SUN VALLEY RANCH LLC
PO BOX 4380
KETCHUM, ID 83340

SOURCE: GROUND WATER

QUANTITY: 2.75 CFS

Right Nos. 37-2492 and 37-22051 are limited to a total combined
diversion rate of 2.75 cfs.
The quantity of water under this right for stockwater use shall
not exceed 13,000 gallons per day.

PRIORITY DATE: 09/16/1948

The wildlife and aesthetic uses described for this water right
are subordinated to all existing and future consumptive use water
rights from surface and ground water sources in Basin 37.

POINT OF DIVERSION: T01S R18E S14 NENE Within Blaine County

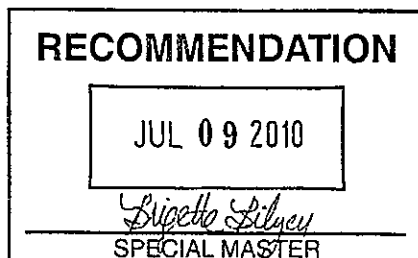
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.04 CFS
	Wildlife	01-01 TO 12-31	2.75 CFS
	Aesthetic	01-01 TO 12-31	2.75 CFS

PLACE OF USE:	Stockwater		Within Blaine County
	T01S R18E S14	NENE	NWNE
		SWNE	SENE
		NENW	SENE
	Wildlife		Within Blaine County
	Same as Stockwater		
	Aesthetic		Within Blaine County
	Same as Stockwater		

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

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



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
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DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

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DEPARTMENT OF
WATER RESOURCES

In Re SRBA)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Case No. 39576)
Water Right 37-22052

NAME AND ADDRESS: SUN VALLEY RANCH LLC
PO BOX 4380
KETCHUM, ID 83340

SOURCE: GROUND WATER

QUANTITY: 1.65 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
Right Nos. 37-2538 and 37-22052 are limited to a total combined diversion rate of 1.65 cfs.

PRIORITY DATE: 04/15/1950

The wildlife and aesthetic uses described for this water right are subordinated to all existing and future consumptive use water rights from surface and ground water sources in Basin 37.

POINT OF DIVERSION: T01S R18E S13 NENW Within Blaine County
NENW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.04 CFS
	Wildlife	01-01 TO 12-31	1.65 CFS
	Aesthetic	01-01 TO 12-31	1.65 CFS

PLACE OF USE:	Stockwater		Within Blaine County
	T01S R18E S13	NENW	NWNW
		SWNW	SENW
	S14	NENE	
	Wildlife		Within Blaine County
	Same as Stockwater		
	Aesthetic		Within Blaine County
	Same as Stockwater		

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

The quantity of water decreed for this water right for stockwater 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

JUL 09 2010

Digella Lilley
SPECIAL MASTER

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WATER RESOURCES

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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): 37-02492
37-22051 37-22052

On July 09, 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 July 09, 2010.


JANET CONNELL
Deputy Clerk

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WATER RESOURCES

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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): 37-02492
37-22051 37-22052

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 July 09, 2010, with sufficient first-class postage prepaid to the following:

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

SUN VALLEY RANCH LLC
Represented by:
EDWARD A LAWSON
LAWSON LASKI CLARK POGUE PLLC
675 SUN VALLEY RD STE A
PO BOX 3310
KETCHUM, ID 83340
Phone: 208-725-0055


JANET CONNELL
Deputy Clerk

CERTIFICATE OF MAILING

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07/09/10