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JUL 20 2010

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUL 20 2010	
By _____	Clark
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

) Subcases 02-2339, 02-2341, 02-2358 and
) 02-2420
) (United Water Idaho, Inc.)
)
) SPECIAL MASTER REPORT

Findings of Fact

The Director of the Idaho Department of Water Resources filed his *Director's Report, Irrigation & Other Uses, Reporting Area Basin 02* on December 29, 2006. The Director recommended the claims to United Water Idaho, Inc., 8248 W. Victory Road, P.O. Box 190420, Boise, Idaho, 83719-0420, for between 11 cfs and 14.5 cfs from the Snake River to irrigate between 610 acres and 725 acres in Ada County from March 15 to November 15 with priority dates between December 31, 1963, and December 28, 1964, based on licenses.

The United States of America, Department of Interior, Bureau of Land Management filed an *Objection* in subcase 02-2339 on December 5, 2007, objecting to place of use. On May 27, 2010, United Water Idaho and the BLM, with IDWR's concurrence, filed a *Standard Form 5* agreeing to add a remark under place of use and amend other provisions remarks.

Conclusions of Law

United Water Idaho is entitled to partial decrees adjudicating water rights as recommended by IDWR and as described in the *SF-5* and the attached *Special Master Recommendations for Partial Decrees for Water Rights 02-2339, 02-2341, 02-2358 and 02-2420*.

DATED July 20, 2010.


TERRENCE A. DOLAN
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 02-02339

NAME AND ADDRESS: UNITED WATER IDAHO INC
8248 W VICTORY RD
PO BOX 190420
BOISE, ID 83719-0420

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 11.00 CFS
2745.00 AFY

PRIORITY DATE: 12/07/1964

POINT OF DIVERSION: T02S R01E S19 NENE Within Ada County

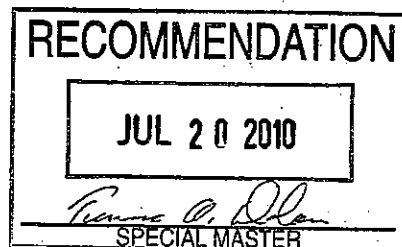
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	11.00 CFS 2745.00 AFY

PLACE OF USE:	Irrigation	Within Ada County
T02S R01E S16	NENE 30.0 SWNE 40.0 NENW 40.0 SWNW 40.0 NESW 40.0 SWSW 35.0 NESE 40.0 SWSE 40.0	NWNE 40.0 SENE 40.0 NWNW 30.0 SENW 40.0 NWSW 40.0 SESW 40.0 NWSE 40.0 SESE 35.0
	610.0 Acres Total	

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

The described place of use was purchased by the United States on February 12, 1998, and this water right was purchased by United Water Idaho Inc. on January 7, 2000. Water right 02-2339 is currently not being used at the described place of use and is instead being used at a different location pursuant to an exchange pursuant to Idaho Code 42-240 and authorized by Department order issued on June 13, 2006. So long as the United States continues to own the described place of use, no resumption of use at the described place of use is allowed absent express written authorization by the United States issued pursuant to proper delegation of authority and consistent with regulation and the applicable Land Use Plan. The holder of the water right agrees that lack of such authorization shall not be construed to be a taking, in whole or part, of the 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

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 02-02341

NAME AND ADDRESS: UNITED WATER IDAHO INC
8248 W VICTORY RD
PO BOX 190420
BOISE, ID 83719-0420

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 12.52 CFS
2817.00 AFY

Right Nos. 2-2341, 2-2358 and 2-2420 are limited to a total
combined diversion rate of 35.21 cfs.

PRIORITY DATE: 12/28/1964

POINT OF DIVERSION: T01S R01W S35 LOT 4 (SWNE) Within Ada County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	12.52 CFS 2817.00 AFY

PLACE OF USE:	Irrigation	Within Ada County
T01S R01W S16	NENE 39.0 SWNE 40.0 NENW 39.0 SNNW 39.0 NESW 40.0 SWSW 39.0 NESE 39.0 SWSE 39.0	NWNE 39.0 SENE 39.0 NWNW 37.0 SENW 40.0 NWSW 39.0 SESW 39.0 NWSE 40.0 SESE 39.0
626.0 Acres Total		

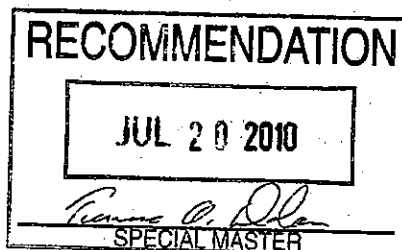
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

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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 02-02358

NAME AND ADDRESS: UNITED WATER IDAHO INC.
8248 W VICTORY RD
PO BOX 190420
BOISE, ID 83719-0420

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 14.50 CFS
3262.50 AFY

Right Nos. 2-2341, 2-2358 and 2-2420 are limited to a total
combined diversion rate of 35.21 cfs.

PRIORITY DATE: 07/28/1964

POINT OF DIVERSION: T01S R01W S35 LOT 4 (SWNE) Within Ada County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	14.50 CFS 3262.50 AFY

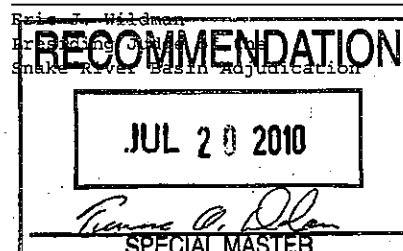
PLACE OF USE:	Irrigation	Within Ada County
T01S R01W S26	NENW 38.0	NWNW 38.0
	SWNW 38.0	SENW 39.0
	NESW 38.0	NWSW 40.0
S27	NENE 40.0	NWNE 38.0
	SWNE 39.0	SENE 40.0
	NENW 37.0	NWNW 37.0
	SWNW 37.0	SENW 37.0
	NESE 29.0	
S28	NENE 40.0	NWNE 40.0
	SWNE 40.0	SENE 40.0
725.0 Acres Total		

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

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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)
)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 02-02420

NAME AND ADDRESS: UNITED WATER IDAHO INC
8248 W VICTORY RD
PO BOX 190420
BOISE, ID 83719-0420

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 14.08 CFS
3168.00 AFY

Right Nos. 2-2341, 2-2358 and 2-2420 are limited to a total
combined diversion rate of 35.21 cfs.

PRIORITY DATE: 12/31/1963

POINT OF DIVERSION: T01S R01W S35 LOT 4 (SWNE) Within Ada County

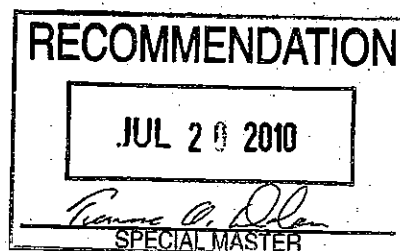
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	14.08 CFS 3168.00 AFY

The use of water for irrigation under this right may begin as
early as March 1 and may continue to as late as November 15,
provided other elements of the right are not exceeded. The use
of water before April 1 and after October 31 under this remark
is subordinate to all water rights having no subordinated early
or late irrigation use and a priority date earlier than the date
a partial decree is entered for this right.

PLACE OF USE:	Irrigation	Within Ada County
T01S R01W S26	NENE 38.0 SWNE 39.0 NESE 40.0	NWNE 38.0 SENE 38.0 NWSE 40.0
S36	NENE 39.0 SWNE 39.0 NENW 39.0 SWNW 39.0 NESE 40.0 SWSE 40.0	NWNE 38.0 SENE 39.0 NWNW 39.0 SENE 39.0 NWSE 40.0 SESE 40.0
704.0 Acres Total		

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

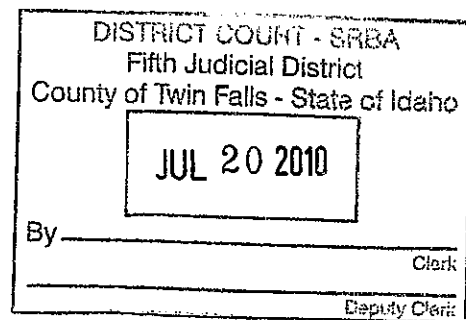
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
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RULE 54(b) CERTIFICATE

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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)
Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

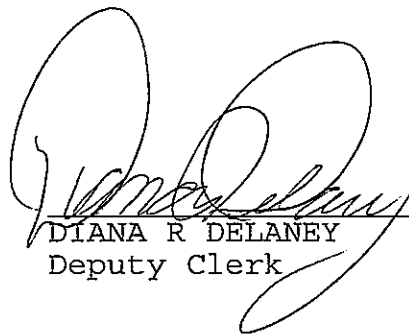
Water Right(s): 02-02339
02-02341 02-02358 02-02420

On July 20, 2010, Special Master TERRENCE A. DOLAN issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

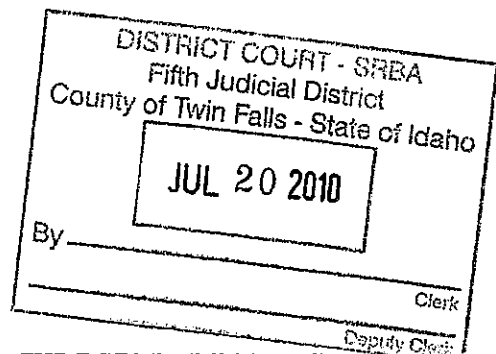
Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

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 20, 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): 02-02339
02-02341 02-02358 02-02420

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 20, 2010, with sufficient first-class postage prepaid to the following:

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

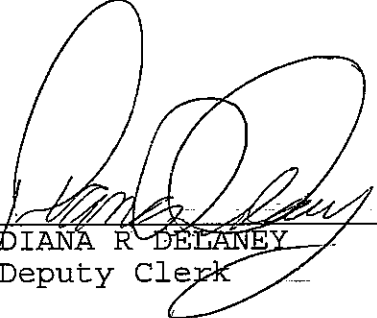
UNITED WATER IDAHO INC
Represented by:
JOHN M MARSHALL
575 W BANNOCK ST, SUITE B
BOISE, ID 83702
Phone: 208-991-2701

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

CERTIFICATE OF MAILING

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07/20/10

UNITED WATER IDAHO INC
8248 W VICTORY RD
PO BOX 190420
BOISE, ID 83719-0420
Phone: 208-362-7358



DIANA R. DELANEY
Deputy Clerk