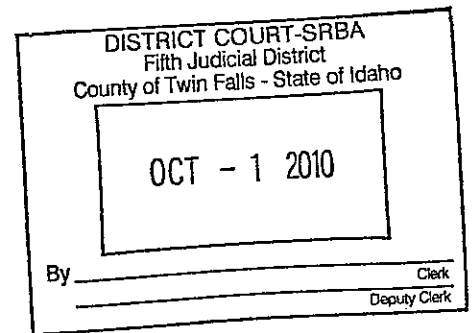


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OCT 05 2010

DEPARTMENT OF
WATER RESOURCES



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
	)	
	)	FOR WATER RIGHTS: 37-22105 and
	)	37-22106

I. FINDINGS OF FACT

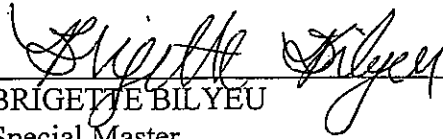
A notice of claim was filed for each of these water rights pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources examined the water system for this reporting area. The *Director's Report* contained recommendations for the elements of these water rights.

An *Objection* was filed for each water right by Sinclair oil Corporation on January 8, 2008. Sinclair Oil Corporation filed a *Notice of Withdrawal of Objection* for each water right on July 20, 2009. There was no opposition to the withdrawal of the *Objections*. *Order Dismissing Objection* (October 2, 2009) There are no unresolved objections remaining in these subcases.

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 *Special Master's Recommendations for Partial Decree*.

DATED: October 1, 2010.



BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
OCT - 1 2010	
By _____	Clerk Deputy Clerk

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 37-22106

NAME AND ADDRESS: SINCLAIR OIL CORPORATION
DBA SUN VALLEY CO
PO BOX 10
SUN VALLEY, ID 83353

SOURCE: TRAIL CREEK TRIBUTARY: BIG WOOD RIVER

QUANTITY: 25.00 CFS

PRIORITY DATE: 06/30/1937

POINT OF DIVERSION: T04N R18E S05 LOT 3 (NENW) Within Blaine County
T05N R18E S32 NESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Wildlife	11-01 TO 12-15	25.00 CFS
	Aesthetic	11-01 TO 12-15	25.00 CFS

PLACE OF USE: Wildlife Within Blaine County

T04N R18E S05 LOT 2	(NWNE)	LOT 3	(NENW)
	S06		SENE
	S07		NWSW
			SESW
			SESE
			NWNE
			SENE
			NESW
			NESE
			SWSE
			SESE
	S08		NWNW
			SENE
			NWSW
	S18	LOT 1	(NENW)
T05N R18E S32	NESE	LOT 2	(SWSE)
	LOT 1		(SESE)

Aesthetic Within Blaine County

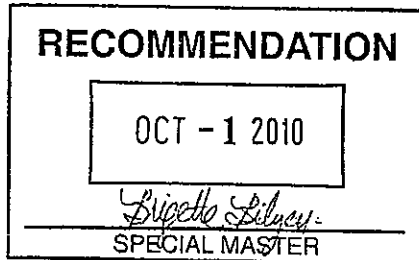
T04N R18E S05 LOT 2	(NWNE)	LOT 3	(NENW)
	S06		SENE
	S07		NWSW
			SESW
			SESE
			NWNE
			SENE
			NESW
			NESE
			SWSE
			SESE
	S08		NWNW
			SENE
			NWSW
	S18	LOT 1	(NENW)
T05N R18E S32	NESE	LOT 2	(SWSE)
	LOT 1		(SESE)

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

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

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

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

OCT - 1 2010

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 37-22105

By _____ Clerk
Deputy Clerk

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OCT 05 2010

DEPARTMENT OF
WATER RESOURCES

NAME AND ADDRESS: SINCLAIR OIL CORPORATION
DBA SUN VALLEY CO
PO BOX 10
SUN VALLEY, ID 83353

SOURCE: TRAIL CREEK TRIBUTARY: BIG WOOD RIVER

QUANTITY: 6.50 CFS

PRIORITY DATE: 06/30/1937

POINT OF DIVERSION: T04N R18E S05 LOT 3 (NENW) Within Blaine County
T05N R18E S32 NESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Wildlife	11-01 TO 12-15	6.50 CFS
	Aesthetic	11-01 TO 12-15	6.50 CFS

PLACE OF USE: Wildlife Within Blaine County

T04N R18E S05 LOT 2	(NWNE)	LOT 3	(NENW)
	SWNW		SENW
	NESW		NWSW
	SWSW		SESW
S06	NESE		SESE
S07	NENE		NWNE
	SWNE		SENE
	SENW		NESW
	SESW		NESE
	NWSE		SWSE
	SESE		
S08	NENW		NWNW
	SWNW		SENW
	NWSW		
S18	NWNE	LOT 1	(NENW)
T05N R18E S32	NESE	LOT 2	(SWSE)
LOT 1	(SESE)		

Aesthetic Within Blaine County

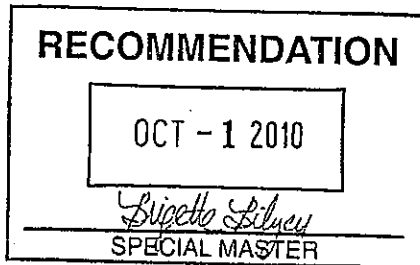
T04N R18E S05 LOT 2	(NWNE)	LOT 3	(NENW)
	SWNW		SENW
	NESW		NWSW
	SWSW		SESW
S06	NESE		SESE
S07	NENE		NWNE
	SWNE		SENE
	SENW		NESW
	SESW		NESE
	NWSE		SWSE
	SESE		
S08	NENW		NWNW
	SWNW		SENW
	NWSW		
S18	NWNE	LOT 1	(NENW)
T05N R18E S32	NESE	LOT 2	(SWSE)
LOT 1	(SESE)		

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

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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OCT 05 2010

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
OCT - 1 2010	
By _____	_____ 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

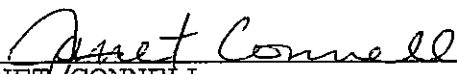
Water Right(s): 37-22105
37-22106

On October 01, 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 October 01, 2010.


JANET CONNELL
Deputy Clerk

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OCT 05 2010

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
OCT - 1 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

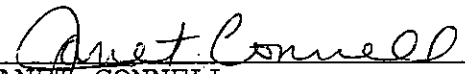
Water Right(s) : 37-22105
37-22106

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 October 01, 2010, with sufficient first-class postage prepaid to the following:

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

SINCLAIR OIL CORPORATION
Represented by:
SCOTT L CAMPBELL
101 S CAPITOL BLVD 10TH FLOOR
PO BOX 829
BOISE, ID 83701-0829
Phone: 208-345-2000


JANET CONNELL
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
10/01/10