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OCT 20 2010
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - IDWA Fifth Judicial District County of Twin Falls - State of Idaho	
OCT 19 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) Subcase 02-2318B
Case No. 39576) (Kritz & Barker)
)
) AMENDED 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 claim to Diane & Charles Kritz and Raymond C. Barker, 415 Volpi Ysabel Road, Paso Robles, California, 93446, for .73 cfs from the Snake River to irrigate 36.7 acres in Owyhee County from March 15 to November 15 with a priority date of June 5, 1964, based on a license.

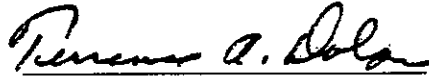
The claimants filed an *Objection* on December 5, 2007, objecting to name and address, point of diversion and place of use. On July 9, 2009, the claimants, with IDWR's concurrence, filed a *Standard Form 5* agreeing to amend the point of diversion and place of use and delete certain explanatory remarks.

The Special Master entered a *Report and Recommendation* on July 20, 2009, and on August 28, 2009, the claimants filed a *Motion to Alter or Amend* to change quarter-quarter legal descriptions. On September 27, 2010, the claimants, with IDWR's concurrence, filed another *SF-5* agreeing to the changes.

Conclusions of Law

The Kritzes and Mr. Barker are entitled to a partial decree adjudicating a water right as described in the September 27, 2010 *SF-5* and the attached amended *Special Master Recommendation for Partial Decree for Water Right 02-2318B*.

DATED October 19, 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 }
 }
Case No. 39576 }
 }
 } PARTIAL DECREE PURSUANT TO
 } I.R.C.P. 54(b) FOR
 } Water Right 02-02318B

NAME AND ADDRESS: CHARLES J KRITZ JR
 DIANE B KRITZ
 RAYMOND C BARKER JR
 415 VOLPI YSABEL RD
 PASO ROBLES, CA 93446

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.73 CFS

PRIORITY DATE: 06/05/1964

POINT OF DIVERSION: T03N R05W S14 LOT 6 (NWNW) Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.73 CFS

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

PLACE OF USE:	Irrigation	Within Owyhee County
	T03N R05W S14 LOT 5 (NENW) 6.0	LOT 6 (NWNW) 1.2
	LOT 6 (SWNW) 1.8	LOT 5 (SENW) 27.7
	36.7 Acres Total	

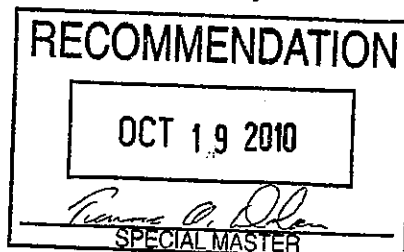
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

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)
)
Case No. 39576)
)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

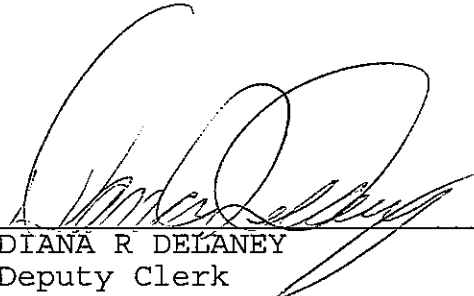
Water Right(s): 02-02318B

On October 19, 2010, Special Master TERRENCE A. DOLAN issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (A01), Section 13a.

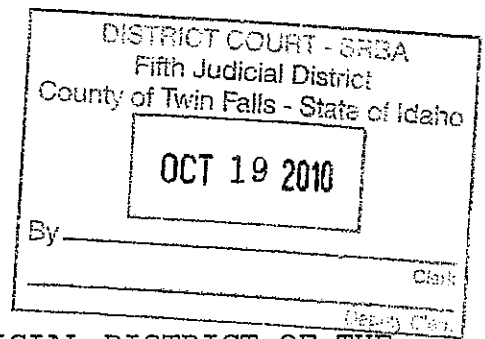
Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

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 19, 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) : 02-02318B

CERTIFICATE OF MAILING

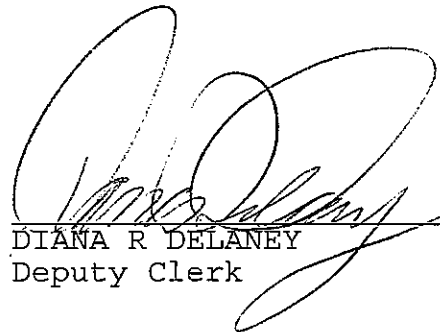
I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on October 19, 2010, with sufficient first-class postage prepaid to the following:

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

CHARLES J KRITZ JR
DIANE B KRITZ
RAYMOND C BARKER JR
Represented by:
DANA L. HOFSTETTER
608 WEST FRANKLIN STREET
BOISE, ID 83702
Phone: 208-424-7800

IMOGENE E WILKERSON
WILLIAM R WILKERSON SR.
Represented by:
JON C GOULD
RINGERT CLARK CHARTERED
PO BOX 2773
BOISE, ID 83701

CERTIFICATE OF MAILING


DIANA R DELANEY
Deputy Clerk

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