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DEPARTMENT OF
WATER RESOURCES

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

NOV 10 2010

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
Case No. 39576)
) FINDINGS OF FACT AND
) CONCLUSIONS OF LAW
)
) FOR WATER RIGHT 63-31052

I. FINDINGS OF FACT

A notice of claim was filed for the above-captioned water right pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources (IDWR) examined the water system for this reporting area. The *Director's Report* contained a recommendation or abstract for the elements of this water right.

Objections to the *Director's Report* were filed by the claimant, The Terteling Co., Inc., and by the Edwards Family LLC. On September 27, 2010, the parties filed a *Standard Form 5 – Stipulated Elements of a Water Right* which resolved the objection. The Idaho Department of Water Resources concurred with the stipulation.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein and pursuant to the *Standard Form 5*, IT IS RECOMMENDED that water right 63-31052 be decreed with the elements as set forth in the attached *Recommendation for Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated November 10, 2010.


Theodore R. Booth
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 63-31052

NAME AND ADDRESS: T-7 LLC
3858 GARDEN CENTER WY, STE 300
BOISE, ID 83703

SOURCE: GROUND WATER

QUANTITY: 0.12 CFS
86.90 AFY

This right when combined with all other rights shall provide no
more than .02 cfs per acre.

PRIORITY DATE: 04/24/1948

POINT OF DIVERSION: T04N R02E S22 SWNW Within Ada County

This well diverts low temperature geothermal water.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	0.12 CFS
			3.00 AFY
	Heating	01-01 TO 12-31	0.12 CFS
			79.64 AFY
	Recreation	01-01 TO 12-31	0.12 CFS
	Aesthetic	01-01 TO 12-31	0.12 CFS
	Aesthetic Storage	01-01 TO 12-31	3.00 AFY

Low temperature geothermal water diverted under this right will
be used for heating purposes first to the extent possible before
it is used for irrigation, recreation, aesthetic or aesthetic
storage purposes. Diversion of low temperature geothermal water
for irrigation under this right shall occur only when cold water
sources covering the place of use are insufficient or cannot be
used.

PLACE OF USE:	Irrigation	Within Ada County
	T04N R02E S22 SWNW 1.0	
	1.0 Acres Total	
	Heating	Within Ada County
	T04N R02E S22 SWNW	
	Recreation	Within Ada County
	Same as Irrigation	
	Aesthetic	Within Ada County
	T04N R02E S22 SWNW	

The rights listed below are limited to the irrigation of a
combined total of 178 acres in a single irrigation season.
Combined Right Nos.: 63-12, 63-13, 63-15, 63-308, 63-3603,
63-7595, 63-27649, 63-27671, 63-31050, 63-31052, 63-31053,
63-31054, 63-31055, and 63-31056.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

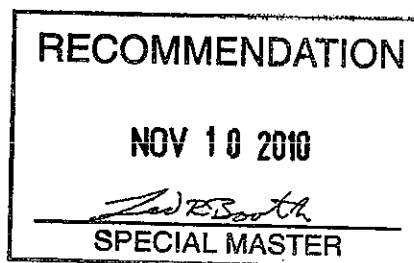
OTHER PROVISIONS (continued)

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



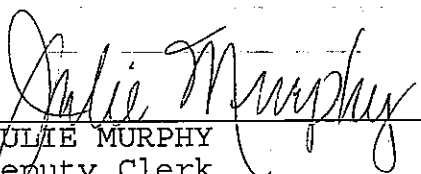
DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

NOV 10 2010

By _____ Clerk

Deputy Clerk

EDWARDS FAMILY LLC
Represented by:
DEBRA K. ELLERS
PO BOX 1030
MCCALL, ID 83638
Phone: 208-315-2827



JULIE MURPHY
Deputy Clerk

NOV 10 2010

By

Clerk
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

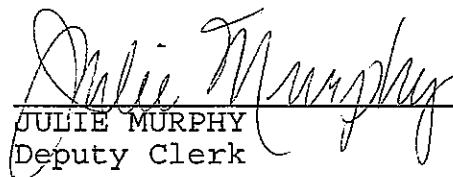
Water Right(s): 63-31052

On November 10, 2010, Special Master THEODORE R. BOOTH 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 November 10, 2010.


JULIE MURPHY
Deputy Clerk