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DEC 17 2010

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
DEC 15 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 Nos. 36-02473A and 36-11508
	)
Case No. 39576	) SPECIAL MASTER'S
	) RECOMMENDATION ON MOTION TO
	) SET ASIDE AND AMEND PARTIAL
	) DECREES

On December 29, 1997, the SRBA District Court issued a *Partial Decree* for water right 36-02473A. On May 22, 2002, the SRBA District Court issued an *Amended Partial Decree* for water right 36-11508. On July 3, 2007, the owner of water rights 36-02473A and 36-11508 filed a *Standard Form 4 Motion to File Amended Notice of Claim*. The *Motion* was treated as a motion to set aside and amend the previously issued partial decrees.

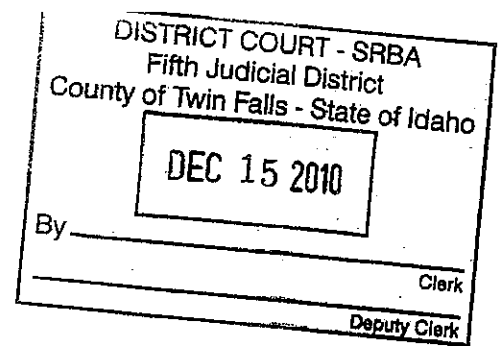
At a hearing on the matter held on November 30, 2010, Mr. Hansen withdrew his *Motion*, contingent upon water right 36-16749 being decreed in the SRBA with the elements as set forth in the *Director's Report* for that right.

In accordance with the forgoing, IT IS RECOMMENDED that the SRBA District Court enter an order **denying** Mr. Hansen's *Motion*, with the proviso that Mr. Hansen be allowed to re-file his *Motion* in the event that water right claim 36-16749¹ is not decreed in accordance with the *Director's Report* for that claim.

Dated Dec 15, 2010


THEODORE R. BOOTH
Special Master
Snake River Basin Adjudication

¹ Water right claim 36-16749 (claimed by A & B Irrigation District) was reported in the *Late Claims Director's Report* filed with the Court on June 29, 2010. No objections were filed to the *Director's Report* for the claim, and the objection period has expired. A hearing on the uncontested late claims reported in the June 29, 2010 *Director's Report* is scheduled for March 15, 2011. It is anticipated that a partial decree for water right 36-16749 will be issued shortly thereafter.



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

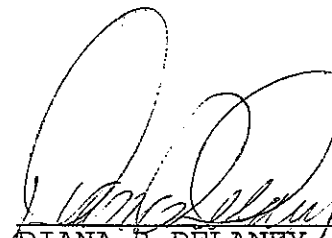
Water Right(s): 36-02473A
36-11508

On December 15, 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 December 15, 2010.



DIANA R DELANEY
Deputy Clerk

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
DEC 15 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): 36-02473A
36-11508

CERTIFICATE OF MAILING

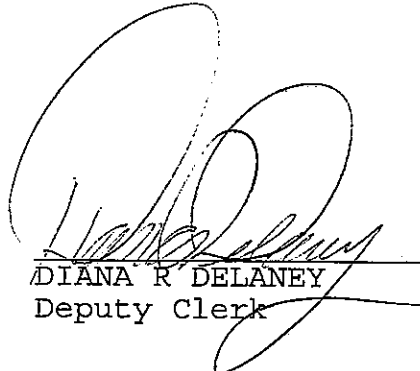
I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on December 15, 2010, with sufficient first-class postage prepaid to the following:

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

A & B IRRIGATION DISTRICT
Represented by:
TRAVIS L THOMPSON
113 MAIN AVE W, STE 303
PO BOX 485
TWIN FALLS, ID 83303-0485
Phone: 208-733-0700

GARY HANSEN
Represented by:
WILLIAM A. PARSONS
137 W 13TH ST
PO BOX 910
BURLEY, ID 83318
Phone: 208-878-8382

CERTIFICATE OF MAILING


DIANA R DELANEY
Deputy Clerk

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