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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
FEB 28 2011	
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	) Subcase 02-2313
	) (Rasgorshek)
Case No. 39576	)
	) 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 Paul and Marilyn Rasgorshek, 12770 W. Roosevelt Avenue, Nampa, Idaho, 83686, for 5.88 cfs from the Snake River to irrigate 418 acres in Canyon County from March 15 to November 15 with a priority date of May 28, 1964, based on a license.

Farm Development Corporation filed an *Objection* on December 5, 2007, objecting to quantity and period of year. IDWR filed a *Supplemental Director's Report* on February 26, 2010, and on January 27, 2011, the parties, with IDWR's concurrence, filed a *Standard Form 5*.

Conclusions of Law

The Rasgorsheks are entitled to a partial decree adjudicating a water right as described in the *SF-5* and the attached *Special Master Recommendation for Partial Decree for Water Right 02-2313*.

DATED February 28, 2011.



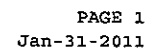
TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

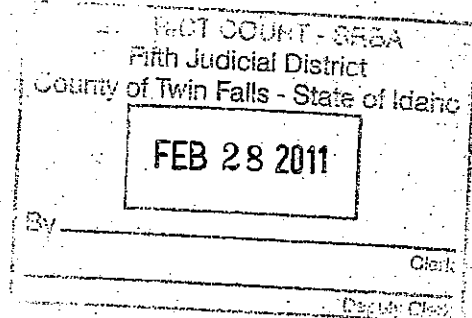
In Re SRBA) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 02-02313

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	5.88 CFS
			1881.00 AFY

PLACE OF USE:	Irrigation		Within Canyon County
	T02N R03W S34	NENE 30.0	NWNE 38.0
		SWNE 38.0	SENE 36.0
		NENW 38.0	NWNW 38.0
		SWNW 29.0	SENW 38.0
		NWSE 38.0	SWSE 38.0
	S35	NWNW 20.0	SWNW 37.0
	418.0 Acres Total		

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).





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

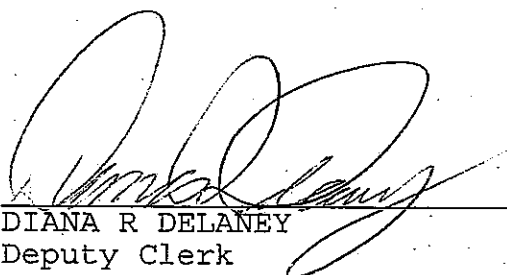
Water Right(s): 02-02313

On February 28, 2011, 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.

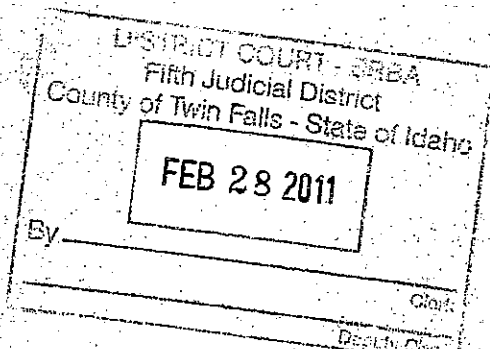
Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

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 February 28, 2011.



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): 02-02313

CERTIFICATE OF MAILING

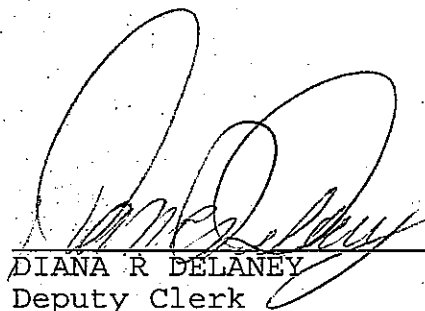
I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on February 28, 2011, with sufficient first-class postage prepaid to the following:

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

FARM DEVELOPMENT CORP
Represented by:
JOHN M MARSHALL
575 W BANNOCK ST, SUITE B
BOISE, ID 83702
Phone: 208-991-2701

MARILYN RASGORSHEK
PAUL A RASGORSHEK
Represented by:
MICHAEL P LAWRENCE
601 W BANNOCK ST
PO BOX 2720
BOISE, ID 83701-2720
Phone: 208-388-1200

CERTIFICATE OF MAILING


DIANA R DELANEY
Deputy Clerk

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02/28/11