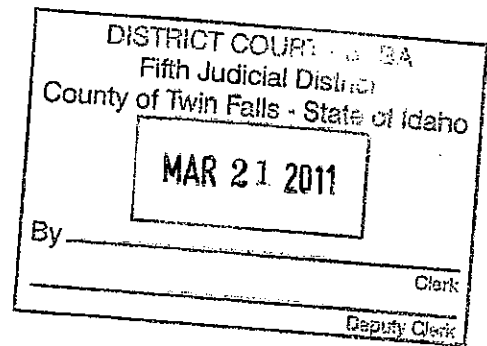


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MAR 22 2011

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) Subcase 75-14498
Case No. 39576) (Remington Ridge LLC)
)
) SPECIAL MASTER REPORT
) AND RECOMMENDATION

Findings of Fact

The Director of the Idaho Department of Water Resources filed his *Director's Report, Irrigation & Other Uses, Reporting Area 23, Basin 75* on January 11, 2007. The Director recommended claim 75-67 to Bruce, Bonnie, David, Janet, Tom and Teresa McFarland for 1 cfs from Carmen Creek to irrigate 293.8 acres in Lemhi County from April 1 to October 31 with a priority date of May 1, 1885, based on a decree.

On April 11, 2008, IDWR filed a *Notice of Completed Administrative Proceeding* for a split of 75-67 into 75-14497 (McFarland) and 75-14498 (Remington Ridge, LLC, Box 944, Hailey, Idaho, 83333). When no one objected to the *NCAP*, claim 75-67 was disallowed and water rights 75-14497 and 75-14498 were partially decreed on April 1, 2009.

75-14497

On December 17, 2010, the McFarlands, with IDWR's concurrence filed a *Standard Form 5* in subcase 75-14497 deemed to be a motion to set aside and amend the *Partial Decree*. On January 27, 2011, the McFarlands, with IDWR's concurrence, filed an *Amended SF-5* to correct the quantity and places of use and the Special Master entered a *Report and Recommendation* recommending the *Partial Decree* in subcase 75-14497 be set aside and a proposed amended partial decree be entered to correct errors.

75-14498

On March 15, 2011, Remington Ridge, with IDWR's concurrence, filed a *Standard Form 5* in subcase 75-14498 deemed to be a motion to set aside and amend the *Partial Decree* to conform the water right with other valid claims by Remington Ridge.

Conclusions of Law

Good cause exists to set aside and amend the *Partial Decree* in subcase 75-14498 as described in the *SF-5* and the attached *Special Master Recommendation for Amended Partial Decree for Water Right 75-14498*.

Recommendation

THEREFORE, IT IS RECOMMENDED that the *Partial Decree* in subcase 75-14498 be set aside and the proposed amended partial decree be entered.

DATED March 21, 2011.



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

AMENDED

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 75-14498

NAME AND ADDRESS: REMINGTON RIDGE LLC
BOX 944
HAILEY, ID 83333

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.034 CFS

PRIORITY DATE: 05/01/1885

POINT OF DIVERSION: T22N R22E S03 NWSE Within Lemhi County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	04-01 TO 10-31	0.034 CFS

PLACE OF USE: Irrigation Within Lemhi County

T22N R22E S16	NENW 9.4	SENW 0.6
10.0 Acres Total		

The rights listed below are limited to the irrigation of a combined total of 10 acres in a single irrigation season.
Combined Right Nos.: 75-14498, 75-14500, 75-14502, 75-14504 and 75-14506.

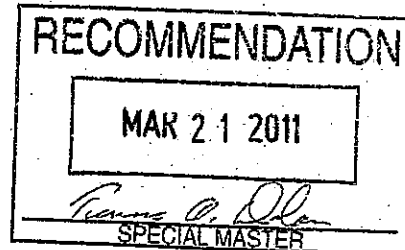
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

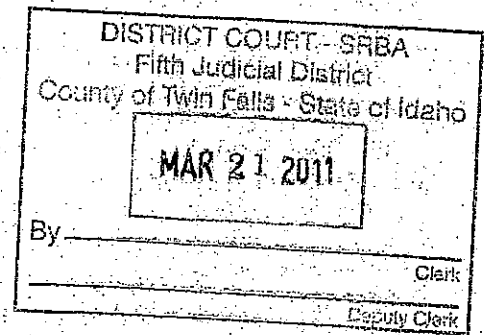
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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

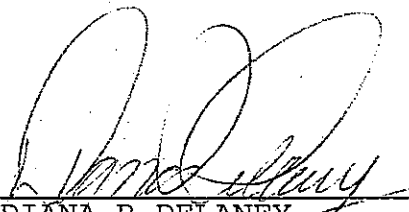
Water Right(s): 75-14498

On March 21, 2011, Special Master ERIC J WILDMAN issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

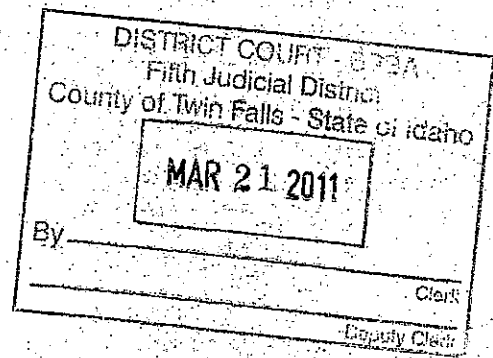
Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

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 March 21, 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

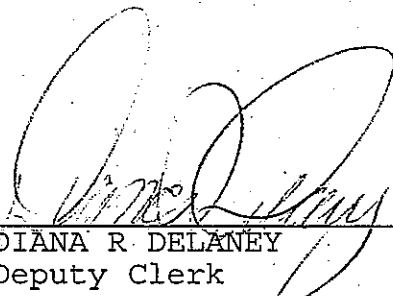
Water Right(s): 75-14498

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 March 21, 2011, with sufficient first-class postage prepaid to the following:

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

REMINGTON RIDGE LLC
BOX 944
HAILEY, ID 83333



DIANA R. DELANEY
Deputy Clerk

CERTIFICATE OF MAILING

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