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MAR 29 2011

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
MAR 28 2011	
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	)	AMENDED SPECIAL MASTER'S
	)	REPORT AND RECOMMENDATION;
Case No. 39576	)	FINDINGS OF FACT AND
	)	CONCLUSIONS OF LAW
	)	
_____	)	FOR WATER RIGHT: 37-549

I. FINDINGS OF FACT

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

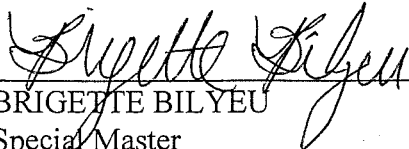
An *Objection* was filed by Spring Canyon Ranch LLC on July 16, 2007. A *Notice of Substitution of Parties* was filed on August 17, 2010 by Wells Fargo Bank as the successor in interest to Spring Canyon Ranch, LLC, and the current owner of this water right. A *Notice of Completed Administrative Proceeding* was filed on October 21, 2010 changing ownership to Wells Fargo Bank. The *Objection* was resolved on February 10, 2011 with the filing of a *Standard Form 5*. All parties to the subcase and IDWR are signatories to the *Standard Form 5*.

A *Special Master's Report and Recommendation* was issued on March 3, 2011. The Idaho Department of Water Resources notified the Court and the parties that an error was discovered in the *Standard Form 5* filed on February 10, 2011. The amount shown under the quantity element is 3.11 cfs while the quantity amount shown under the purpose and period of use element is 1.91 cfs. The quantities should both reflect the 3.11 cfs amount. There was no opposition by the parties to the Court issuing an *Amended Special Master's Report and Recommendation* to correct the error. The only change to this *Amended Special Master's Report and Recommendation* is that the quantity amount of 3.11 cfs under the purpose and period of use element has been corrected.

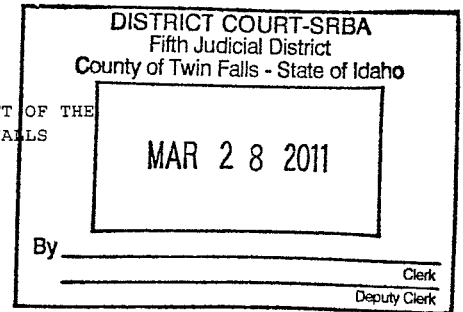
II. CONCLUSIONS OF LAW

Therefore, based on the file and record herein, IT IS RECOMMENDED that this water right be **decreed** with the elements set forth in the attached *Special Master's Recommendation for Partial Decree*.

DATED: March 28, 2011.


BRIGETTE BILYEU
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)
Water Right 37-00549)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

NAME AND ADDRESS: WELLS FARGO BANK
1740 BROADWAY
7TH FLOOR MAC C7300-079
DENVER, CO 80274

SOURCE: CROY CREEK TRIBUTARY: BIG WOOD RIVER

QUANTITY: 3.11 CFS

The rights listed below are limited to 3.50 af per acre for
irrigation purposes in a single irrigation season. Combined Right
Nos.: 37-548, 37-549, 37-1222, 37-2142, 37-4138, 37-4440 and
37-12396.

PRIORITY DATE: 06/30/1882

POINT OF DIVERSION: T02N R18E S19 NESENW Within Blaine County

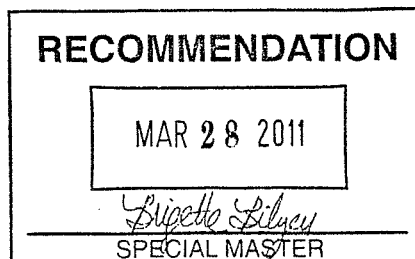
PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 04-15 TO 10-31 3.11 CFS

PLACE OF USE: Irrigation Within Blaine County
T02N R18E S17 LOT 3 (SNNW) 2.9 LOT 4 (SENW) 23.0
NESW 8.6 NWSW 27.0
LOT 1 (SWSW) 1.1
S18 NESE 7.3 SWSE 4.6
LOT 5 (SESE) 21.0
95.5 Acres Total

The rights listed below are limited to the irrigation of a
combined total of 185 acres in a single irrigation season.
Combined Right Nos.: 37-548, 37-549, 37-1222, 37-2142, 37-4138
and 37-4440.
Place of use does not include federal public lands.

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).



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In Re SRBA)
Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

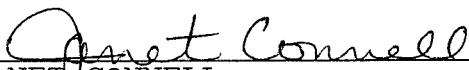
Water Right(s) : 37-00549

On March 28, 2011, Special Master BRIGETTE BILYEU
issued a ~~Amended~~ 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 28, 2011.


JANET CONNELL
Deputy Clerk

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DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
MAR 28 2011
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) : 37-00549

CERTIFICATE OF MAILING

AMENDED

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 28, 2011, with sufficient first-class postage prepaid to the following:

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

WELLS FARGO BANK
Represented by:
BRALEY, KEVIN C
HOLLAND & HART LLP
101 S CAPITOL BLVD STE 1400
PO BOX 2527
BOISE, ID 83701
Phone: 208-342-5000

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

CERTIFICATE OF MAILING

Janet Connell PAGE 1
JANET CONNELL 03/28/11
Deputy Clerk