

RECEIVED
MAY 16 2011
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
MAY 12 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	)	SPECIAL MASTER'S REPORT AND RECOMMENDATIONS; FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR WATER RIGHTS: 37-51, 37-663, 37-1231, 37-7113A, and 37-22329
	)	
Case No. 39576	)	
	)	
_____	)	

I. FINDINGS OF FACT

A notice of claim was filed for each of these water rights 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 recommendations for the elements of these water rights.

Objections were filed by Y3 Ranch to each water right. The *Objections* were resolved on April 11, 2011 with the filing of a *Standard Form 5* for each right. All parties to the subcases and IDWR are signatories to each *Standard Form 5*.

II. CONCLUSIONS OF LAW

Therefore, based on the files and records herein, IT IS RECOMMENDED that these water rights be **decreed** with the elements set forth in the attached *Special Master's Recommendations for Partial Decree*.

DATED: May 12, 2011.

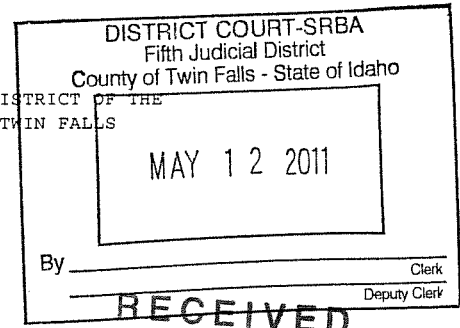


BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

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)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 37-00051



NAME AND ADDRESS: Y 3 RANCH
PO BOX 5405
BOISE, ID 83705-5405

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 2.00 CFS

PRIORITY DATE: 05/15/1891

POINT OF DIVERSION: T01S R18E S02 LOT 2 (SWSWNE) Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	2.00 CFS

PLACE OF USE:	Irrigation	Within Blaine County
T01S R18E S04	NESE 37.0	NWSE 27.0
	SWSE 20.0	SESE 40.0
S09	NENE 40.0	SENE 4.5
	SENE 4.8	NESW 37.0
	SESW 41.0	NESE 23.0
	NWSE 9.6	SWSE 35.0
	SESE 31.0	
S10	NENE 4.9	NWNE 3.7
	NWNW 5.7	SWNW 15.0
379.2 Acres Total		

Right Nos. 37-51, 37-663 and 37-1231 are limited to the irrigation of a combined total of 265.7 acres in a single irrigation season.

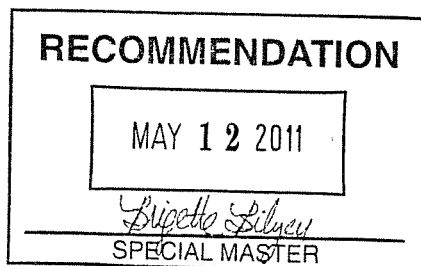
Right Nos. 37- 51, 37-663, 37-1231 and 37-22329 are limited to the irrigation of a combined total of 379.2 acres in a single irrigation season.

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

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

MAY 12 2011

By _____ Clerk
Deputy Clerk

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 37-00663

NAME AND ADDRESS: Y 3 RANCH
PO BOX 5405
BOISE, ID 83705-5405

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 3.60 CFS

PRIORITY DATE: 06/01/1884

POINT OF DIVERSION: T01S R18E S02 LOT 2 (SWSWNE) Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	3.60 CFS

PLACE OF USE:	Irrigation	Within Blaine County
T01S R18E S04	NESE 37.0	NWSE 27.0
	SWSE 20.0	SESE 40.0
S09	NENE 40.0	SENE 4.5
	SENE 4.8	NESW 37.0
	SESW 41.0	NESE 23.0
	NWSE 9.6	SWSE 35.0
	SESE 31.0	
S10	NENE 4.9	NWNE 3.7
	NWNW 5.7	SWNW 15.0
	379.2 Acres Total	

Right Nos. 37-663 and 37-1231 are limited to the irrigation of a combined total of 171 acres in a single irrigation season.

Right Nos. 37-51, 37-663 and 37-1231 are limited to the irrigation of a combined total of 265.7 acres in a single irrigation season.

Right Nos. 37- 51, 37-663, 37-1231 and 37-22329 are limited to the irrigation of a combined total of 379.2 acres in a single irrigation season.

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).

RECOMMENDATION

MAY 12 2011

Bigelow Lilley
SPECIAL MASTER

RULE 54(b) CERTIFICATE

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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

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
MAY 12 2011	
By _____	Clerk Deputy Clerk

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
_____) Water Right 37-01231

NAME AND ADDRESS: Y 3 RANCH
PO BOX 5405
BOISE, ID 83705-5405

SOURCE: UNNAMED STREAM TRIBUTARY: SINKS

Source identified as unnamed stream is water that accumulates in the delivery ditch between the Uhrig 63 diversion and the place of use for this right.
This is subject to the terms and conditions pursuant to the 1/30/1952 Uhrig et al vs. Coffin et al Idaho Supreme Court Decision No. 7801.

QUANTITY: 5.60 CFS

This right is limited to 2.0 cfs when right 37-663 is being delivered. Once right 37-663 is curtailed, this right is limited to 5.6 cfs.
Right Nos. 37-51, 37-663 and 37-1231 are limited to a total combined diversion rate of 7.6 cfs.

PRIORITY DATE: 05/01/1910

POINT OF DIVERSION: T01S R18E S10 NWNENE Within Blaine County

The point of diversion described above corresponds to the location on the Uhrig 63 delivery ditch as it enters the place of use for this right.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	5.60 CFS

PLACE OF USE:	Irrigation	Within Blaine County
	T01S R18E S04	NESE 37.0 NWSE 27.0
		SWSE 20.0 SESE 40.0
	S09	NENE 40.0 SENE 4.5
		SENW 4.8 NESW 37.0
		SESW 41.0 NESE 23.0
		NWSE 9.6 SWSE 35.0
		SESE 31.0
	S10	NENE 4.9 NWNE 3.7
		NWNW 5.7 SWNW 15.0
	379.2 Acres Total	

Right Nos. 37-663 and 37-1231 are limited to the irrigation of a combined total of 171 acres in a single irrigation season.
Right Nos. 37-51, 37-663 and 37-1231 are limited to the irrigation of a combined total of 265.7 acres in a single irrigation season.
Right Nos. 37- 51, 37-663, 37-1231 and 37-22329 are limited to the irrigation of a combined total of 379.2 acres in a single irrigation season.

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

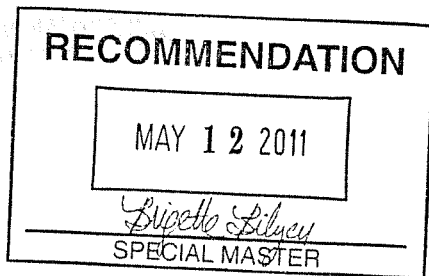
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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

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MAY 12 2011

By _____ Clerk

Deputy Clerk

RECOMMENDATION

MAY 12 2011

Elizabeth Lilley

SPECIAL MASTER

PAGE 1
May-10-2011

RULE 54(b) CERTIFICATE

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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

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
MAY 12 2011
By _____ Clerk _____ Deputy Clerk

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
_____) Water Right 37-22329

NAME AND ADDRESS: Y 3 RANCH
PO BOX 5405
BOISE, ID 83705

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER
UNNAMED STREAM TRIBUTARY: SINKS

Source identified as unnamed stream is water that accumulates in the delivery ditch between the Uhrig 63 diversion and the place of use for this right.

QUANTITY: 2.27 CFS

The rights listed below are limited to a total combined diversion rate of 5.6 cfs. Combined Right No.: 37-663, 37-1231 and 37-22329.
The rights listed below are limited to a total combined diversion rate of 7.6 cfs. Combined Right Nos.: 37-51, 37-663, 37-1231 and 37-22329.

PRIORITY DATE: 04/01/1976

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As Between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF DIVERSION: T01S R18E S02 LOT 2 (SWNE) Within Blaine County
S10 NWNENE

The point of diversion described above in Section 10 corresponds to the location on the Uhrig 63 delivery ditch as it enters the place of use for this right.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	2.27 CFS

PLACE OF USE:	Irrigation	Within Blaine County
T01S R18E S04	NESE 37.0	NWSE 27.0
	SWSE 20.0	SESE 40.0
S09	NENE 40.0	SENE 4.5
	SENE 4.8	NESW 37.0
	SESW 41.0	NESE 23.0
	NWSE 9.6	SWSE 35.0
	SESE 31.0	
S10	NENE 4.9	NWNE 3.7
	NWNW 5.7	SWNW 15.0
379.2 Acres Total		

This right is for an enlargement of 113.5 acres within the place of use described for this right.
Right Nos. 37-51, 37-663, 37-1231 and 37-22329 are limited to the irrigation of a combined total of 379.2 acres in a single irrigation season.

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WATER RESOURCES

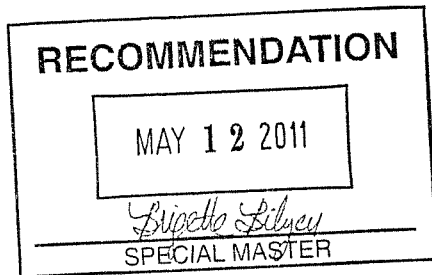
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This right is based upon an enlargement of Right Nos. 37-51, 37-663 and 37-1231 pursuant to Section 42-1426, Idaho Code.

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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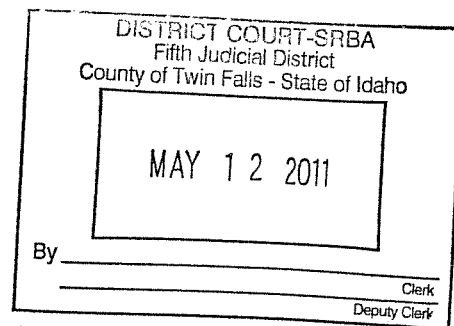


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Presiding Judge of the
Snake River Basin Adjudication

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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)
Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

Water Right(s) : 37-00051
37-00663 37-01231 37-07113A
37-22329

On May 12, 2011, Special Master BRIGETTE BILYEU 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 May 12, 2011.



JANET CONNELL
Deputy Clerk

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WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
MAY 12 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

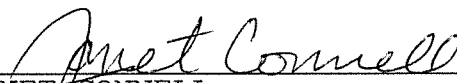
Water Right(s) : 37-00051
37-00663 37-01231 37-07113A
37-22329

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 May 12, 2011, with sufficient first-class postage prepaid to the following:

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

Y 3 RANCH
Represented by:
MICHAEL P LAWRENCE
601 W BANNOCK ST
PO BOX 2720
BOISE, ID 83701-2720
Phone: 208-388-1200


JANET CONNELL
Deputy Clerk

CERTIFICATE OF MAILING