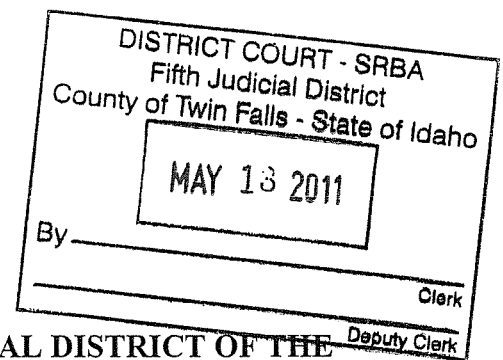


RECEIVED
MAY 16 2011
DEPARTMENT OF
WATER RESOURCES



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) SPECIAL MASTER'S REPORT ON
Case No. 39576) MOTION TO AMEND PARTIAL
) DECREE
)
) FOR WATER RIGHT 63-02392E

A *Partial Decree* was issued for the above-captioned water right on March 12, 2009. On November 30, 2010, the claimant of the right, the South Boise Mutual Irrigation Company, Ltd., file a motion to amend the *Partial Decree*. The motion sought to add a remark omitted from the *Director's Report* regarding the source of the right being wastewater collected by the Drainage District No. 3 of Ada County. A hearing on the motion was held on February 1, 2011, at which IDWR stated that it was in agreement with the proposed amendment.

On February 23, 2011, IDWR filed an *Amended Director's Report* which included the subject remark. Notice of the filing of the *Amended Director's Report* was published on the Court's docket sheet in March, 2011. No objections were filed to the *Amended Director's Report* and the time for objecting has expired.

Therefore based on the file and record herein, IT IS RECOMMENDED that an amended partial decree be issued for water right 63-02392E with the elements as set forth in the attached *Recommendation for Amended Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated May 13, 2011


Theodore R. Booth
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 63-02392E

NAME AND ADDRESS: SOUTH BOISE MUTUAL IRRIGATION
CO LTD
C/O TOM GILMORE
2130 COLORADO AVE
BOISE, ID 83706

SOURCE: WASTE WATER TRIBUTARY: BOISE RIVER

QUANTITY: 2.25 CFS

PRIORITY DATE: 09/13/1927

POINT OF DIVERSION: T03N R03E S30 SENW Within Ada County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	2.25 CFS

PLACE OF USE:

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 246.6 ACRES WITHIN THE BOUNDARY OF THE SOUTH BOISE MUTUAL IRRIGATION COMPANY. The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

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

THE SOURCE OF THIS RIGHT IS WASTEWATER COLLECTED BY DRAINAGE DISTRICT NO. 3 OF ADA COUNTY AND RETURNED TO THE BOISE RIVER. THE QUANTITY OF WATER RETURNED TO THE BOISE RIVER IS EXCHANGED FOR AN EQUAL QUANTITY OF WATER WHICH IS DIVERTED UPSTREAM AT THE POINT OF DIVERSION FOR THE SOUTH BOISE MUTUAL IRRIGATION CO LTD TO BE USED WITHIN THEIR DIGITAL BOUNDARY.

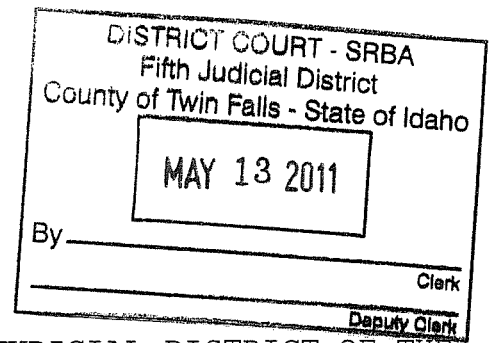
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RECOMMENDATION

MAY 13 2011

Les B. Booth
SPECIAL MASTER

AMENDED



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

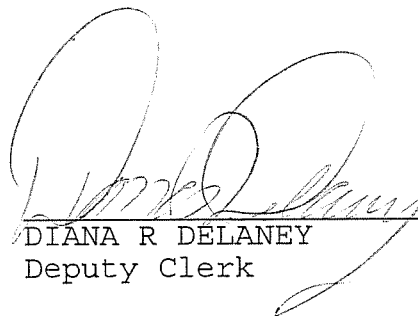
Water Right(s): 63-02392E

On May 13, 2011, 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 May 13, 2011.



DIANA R DELANEY
Deputy Clerk

DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
MAY 13 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): 63-02392E

CERTIFICATE OF MAILING

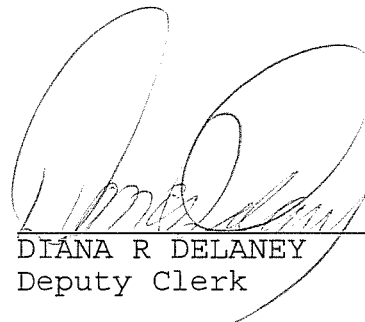
I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on May 13, 2011, with sufficient first-class postage prepaid to the following:

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

SOUTH BOISE MUTUAL IRRIGATION
CO LTD
C/O TOM GILMORE
2130 COLORADO AVE
BOISE, ID 83706
Phone: 208-703-3333

HAL MAXEY
SOUTH BOISE MUTUAL IRR CO LTD
1120 CHAMBERLIN
BOISE, ID 83706
Phone: 208-344-3062

CERTIFICATE OF MAILING


DIANA R DELANEY
Deputy Clerk

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05/13/11