

RECEIVED
JUN 13 2011
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUN 10 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) Subcase 02-2168
Case No. 39576) (Beranna Properties LP)
)
) 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 Carl and Joyce Chase Trusts for 11.78 cfs from the Snake River to irrigate 630 acres in Canyon County from March 1 to November 15 with a priority date of December 26, 1961, based on a license.

Farm Development Corporation filed an *Objection* on December 5, 2007, objecting to quantity. IDWR filed a *Supplemental Director's Report* on February 26, 2010, and on December 23, 2010, it filed a *Notice of Completed Administrative Proceeding* with the new owner Beranna Properties LP, 9166 Perch Road, Caldwell, Idaho, 83607. On June 8, 2011, the claimant and objector, with IDWR's concurrence, filed a *Standard Form 5*.

Conclusions of Law

Beranna Properties LP is 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 02-2168*.

DATED June 10, 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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 02-02168

NAME AND ADDRESS: BERANNA PROPERTIES LP
9166 PERCH RD
CALDWELL, ID 83607

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 11.78 CFS

PRIORITY DATE: 12/26/1961

POINT OF DIVERSION: T01N R03W S16 SWNNWN Within Canyon County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	11.78 CFS

PLACE OF USE:	Irrigation	Within Canyon County
	T01N R03W S03 LOT 1 (NENE) 38.0	LOT 2 (NWNE) 38.0
	SWNE 40.0	SENE 40.0
	LOT 3 (NENW) 37.0	LOT 4 (NWNW) 37.0
	SWNW 40.0	SENW 40.0
	NESW 40.0	NWSW 40.0
	SWSW 40.0	SESW 40.0
	NESE 40.0	NWSE 40.0
	SWSE 40.0	SESE 40.0
	630.0 Acres Total	

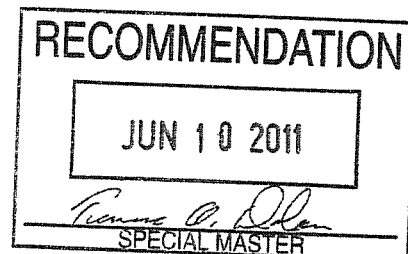
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

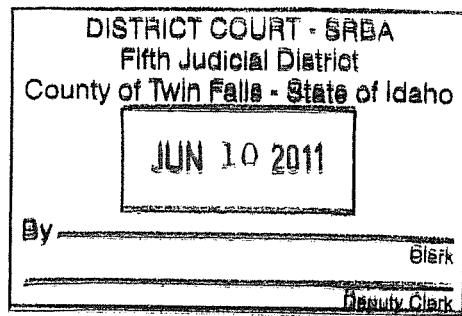
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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

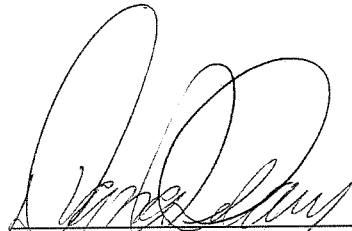
Water Right(s) : 02-02168

On June 10, 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 June 10, 2011.



DIANA R. DELANEY
Deputy Clerk

DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
JUN 10 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)
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Case No. 39576)
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CERTIFICATE OF MAILING

Water Right(s): 02-02168

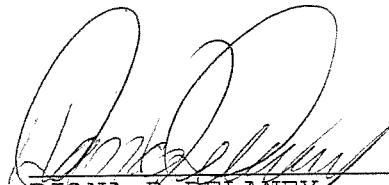
CERTIFICATE OF MAILING

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 June 10, 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

BERANNA PROPERTIES LP
9166 PERCH RD
CALDWELL, ID 83607



DIANA R DELANEY
Deputy Clerk

CERTIFICATE OF MAILING

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