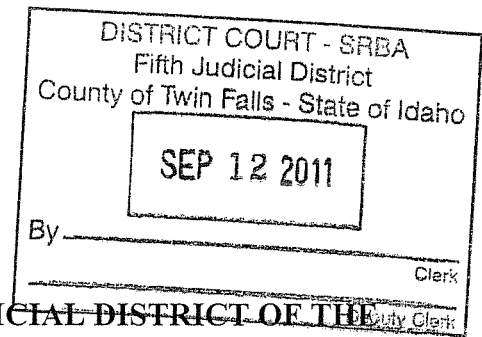


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SEP 13 2011

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
Case No. 39576)
) FINDINGS OF FACT AND
) CONCLUSIONS OF LAW
)
) FOR WATER RIGHT 47-04294

I. FINDINGS OF FACT

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

The claimant of the right, Canyon Springs, LLC, through its attorney J. Evan Robertson, filed an objection to the *Director's Report*. On September 2, 2011, the parties filed a *Standard Form 5 – Stipulated Elements of a Water Right* which resolved the objection. The Idaho Department of Water Resources concurred with the stipulation.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein and pursuant to the *Standard Form 5*, IT IS RECOMMENDED that water right 47-04294 be **decreed** with the elements as set forth in the attached *Recommendation for Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated Sept. 12, 2011

A handwritten signature in cursive script, reading "Theodore R. Booth".

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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 47-04294

NAME AND ADDRESS: CANYON SPRINGS LLC
C/O THOMAS ZIEGLER
113 ABBY RD
HAILEY, ID 83333

SOURCE: SPRINGS TRIBUTARY: SNAKE RIVER
UNNAMED LAKE TRIBUTARY: SNAKE RIVER

QUANTITY: 7.00 CFS
28.00 AFY

PRIORITY DATE: 05/01/1937

POINT OF DIVERSION: T09S R16E S17 LOT 11 (SWNESW) Within Twin Falls County
LOT 11 (SENESW)
LOT 7 (NWSSESW)
LOT 6 (NWSWSE)
LOT 6 (SWSWSE)
LOT 6 (SWSWSE)
LOT 6 (SWSWSE)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Fish Propagation	01-01 TO 12-31	7.00 CFS
	Diversion to Storage	01-01 TO 12-31	7.00 CFS
	Stockwater Storage	01-01 TO 12-31	2.00 AFY
	Recreation Storage	01-01 TO 12-31	28.00 AFY
	Irrigation Storage	01-01 TO 12-31	28.00 AFY
	Irrigation from Storage	04-01 TO 11-01	28.00 AFY
	Stockwater	01-01 TO 12-31	0.03 CFS
	Irrigation	04-01 TO 11-01	0.62 CFS

PLACE OF USE: Irrigation Within Twin Falls County

T09S R16E S17 LOT 7 (NESW) 0.6	LOT 11 (NESW) 15.2
LOT 10 (NWSW) 3.1	LOT 7 (SESW) 1.1
LOT 6 (NWSE) 0.2	LOT 13 (NWSE) 2.8
LOT 6 (SWSE) 8.1	
31.1 Acres Total	

Irrigation Storage Within Twin Falls County

T09S R16E S17 LOT 7 (NESW)	LOT 11 (NESW)
LOT 7 (SESW)	LOT 6 (SWSE)

Irrigation from Storage Within Twin Falls County

T09S R16E S17 LOT 7 (NESW) 0.6	LOT 11 (NESW) 15.2
LOT 10 (NWSW) 3.1	LOT 7 (SESW) 1.1
LOT 6 (NWSE) 0.2	LOT 13 (NWSE) 2.8
LOT 6 (SWSE) 8.1	
31.1 Acres Total	

Stockwater Within Twin Falls County

T09S R16E S17 LOT 7 (NESW)	LOT 11 (NESW)
LOT 7 (SESW)	LOT 6 (SWSE)

Stockwater Storage Within Twin Falls County

T09S R16E S17 LOT 7 (NESW)	LOT 11 (NESW)
LOT 7 (SESW)	LOT 6 (SWSE)

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

PLACE OF USE (continued)

Fish Propagation		Within Twin Falls County
T09S R16E S17 LOT 7 (NESW)		LOT 11 (NESW)
LOT 7 (SESW)		LOT 6 (SWSE)
Recreation Storage		Within Twin Falls County
T09S R16E S17 LOT 7 (NESW)		LOT 11 (NESW)
LOT 7 (SESW)		LOT 6 (SWSE)

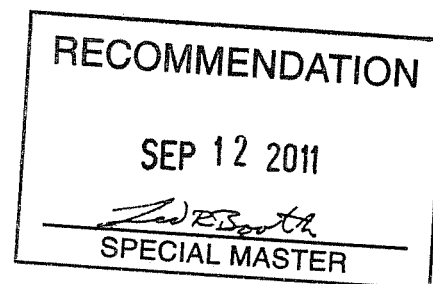
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

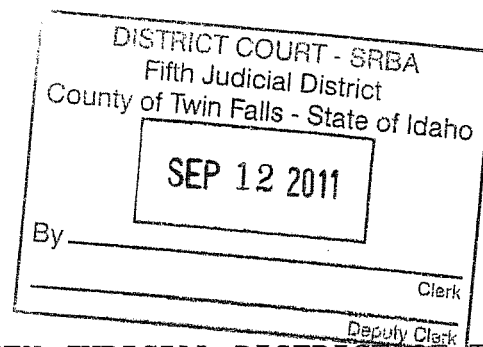
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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

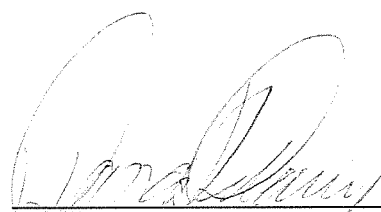
Water Right(s): 47-04294

On September 12, 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.

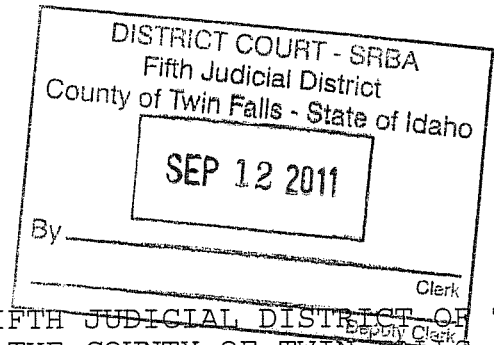
Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

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 September 12, 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

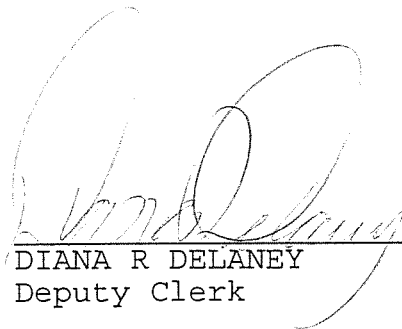
Water Right(s): 47-04294

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

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

CANYON SPRINGS LLC
Represented by:
JOHN E. ROBERTSON
PO BOX 1906
TWIN FALLS, ID 83303
Phone: 208-933-0700



DIANA R DELANEY
Deputy Clerk

CERTIFICATE OF MAILING

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09/12/11