

RECEIVED
DEC 30 2011
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
DEC 29 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
	)	RECOMMENDATION; FINDINGS OF
Case No. 39576	)	FACT AND CONCLUSIONS OF LAW
	)	
	)	WATER RIGHT NOS.: 37-35B, 37-454B,
	)	37-728B, 37-2139B, 37-13261B, 37-13267B,
	)	37-13268B, 37-13269B, and 37-13271B

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.

No objections were filed for these water rights. These water rights, however, are used in combination with water rights 37-35A, 37-454A, 37-463A, 37-463C, 37-728A, 37-730A, 37-2139A, 37-13261A, 37-13267A, 37-13268A, 37-13269A, and 37-13271A which were the subject of *Objections*. *Objections* were filed by Danny and Valerie Van Horn. The *Objections* were resolved with the filing of *Standard Forms 5*. All parties to the subcase and IDWR are signatories to the *Standard Forms 5*. Subsequently, a *Notice of Completed Administrative Proceeding* was filed for each water right on June 29, 2011 changing ownership to Smokey Dome LLC. *Amended Standard Forms 5* were filed on November 14, 2011. All parties to the subcase and IDWR are signatories to the *Amended Standard Forms 5*. There are no unresolved objections remaining in these subcases.

The above listed water rights will be recommended consistent with the *Director's Report*. This Court notes that these water rights were included in the Basin 37 Part 2 General Provision. Therefore, this court added the separate stream language to each recommendation.

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 Decrees*.

DATED: December 29, 2011.



BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

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

DEC 29 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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 37-00035B

NAME AND ADDRESS: BARBARA CRISTOBAL
JOHN CRISTOBAL
875 N 18 E ST
MOUNTAIN HOME, ID 83647

SOURCE: CORRAL CREEK TRIBUTARY: CAMAS CREEK

QUANTITY: 0.05 CFS

PRIORITY DATE: 06/01/1887

POINT OF DIVERSION: T01N R13E S29 NESESW Within Camas County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.05 CFS

PLACE OF USE:	Irrigation	Within Camas County
	T01N R13E S32	SWNE 36.0 SENW 10.0
	46.0 Acres Total	

The rights listed below are limited to the irrigation of a combined total of 46 acres in a single irrigation season. Combined Right Nos.: 37-35B, 37-454B, 37-463D, 37-728B, 37-2139B, 37-13261B, 37-13267B, 37-13268B, 37-13269B, and 37-13271B.

This right is limited to the irrigation of 2.4 acres within the place of use described above in a single irrigation season.

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

This water right shall be administered as being from a separate source pursuant to Basin 37 Part 2 General Provision No. 1.A or 1.B. If the holder of this right seeks to change the right pursuant to Idaho Code Sec. 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such a change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.

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

DEC 29 2011

Doretha Silvey
SPECIAL MASTER

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

DEC 29 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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 37-00454B

NAME AND ADDRESS: BARBARA CRISTOBAL
JOHN CRISTOBAL
875 N 18 E ST
MOUNTAIN HOME, ID 83647

SOURCE: CORRAL CREEK TRIBUTARY: CAMAS CREEK

QUANTITY: 0.04 CFS

PRIORITY DATE: 09/01/1883

POINT OF DIVERSION: T01N R13E S29 NESESW Within Camas County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.04 CFS

PLACE OF USE:	Irrigation	Within Camas County
	T01N R13E S32	SWNE 36.0
	46.0 Acres Total	SENE 10.0

This right is limited to the irrigation of 7.2 acres within the place of use described above in a single irrigation season. The rights listed below are limited to the irrigation of a combined total of 46 acres in a single irrigation season. Combined Right Nos.: 37-35B, 37-454B, 37-463D, 37-728B, 37-2139B, 37-13261B, 37-13267B, 37-13268B, 37-13269B, and 37-13271B.

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

This water right shall be administered as being from a separate source pursuant to Basin 37 Part 2 General Provision Mo. 1.A or 1.B. If the holder of this right seeks to change the right pursuant to Idaho Code Sec 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such a change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.

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

DEC 29 2011

Dianna Lilley
SPECIAL MASTER

RULE 54(b) CERTIFICATE

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Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

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

DEC 29 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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 37-00728B

NAME AND ADDRESS: BARBARA CRISTOBAL
JOHN CRISTOBAL
875 N 18 E ST
MOUNTAIN HOME, ID 83647

SOURCE: CORRAL CREEK TRIBUTARY: CAMAS CREEK

QUANTITY: 0.07 CFS

PRIORITY DATE: 06/01/1883

POINT OF DIVERSION: T01N R13E S29 NESESW Within Camas County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.07 CFS

PLACE OF USE:	Irrigation	Within Camas County
	T01N R13E S32	SWNE 36.0
	46.0 Acres Total	SENE 10.0

The rights listed below are limited to the irrigation of a combined total of 46 acres in a single irrigation season. Combined Right Nos.: 37-35B, 37-454B, 37-463D, 37-728B, 37-2139B, 37-13261B, 37-13267B, 37-13268B, 37-13269B, and 37-13271B.

This right is limited to the irrigation of 5.4 acres within the place of use described above in a single irrigation season.

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

This water right shall be administered as being from a separate source pursuant to Basin 37 Part 2 General Provision No. 1.A or 1.B. If the holder of this right seeks to change the right pursuant to Idaho Code Sec. 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such a change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.

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

DEC 29 2011

Brigette Silvey
SPECIAL MASTER

RULE 54(b) CERTIFICATE

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Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

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

DEC 29 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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
 Case No. 39576)
 _____) Water Right 37-02139B

NAME AND ADDRESS: BARBARA CRISTOBAL
 JOHN CRISTOBAL
 875 N 18 E ST
 MOUNTAIN HOME, ID 83647

SOURCE: WEST FORK CORRAL CREEK TRIBUTARY: CORRAL CREEK
 GARDEN SPRING TRIBUTARY: WEST FORK CORRAL CREEK

QUANTITY: 0.03 CFS

PRIORITY DATE: 06/07/1909

POINT OF DIVERSION: T01N R13E S18 SENWSE Within Camas County
 S20 NWNWNW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.03 CFS

PLACE OF USE: Irrigation Within Camas County
 T01N R13E S32 SWNE 36.0 SENW 10.0
 46.0 Acres Total

The rights listed below are limited to the irrigation of a combined total of 46 acres in a single irrigation season. Combined Right Nos.: 37-35B, 37-454B, 37-463D, 37-728B, 37-2139B, 37-13261B, 37-13267B, 37-13268B, 37-13269B, and 37-13271B. This right is limited to the irrigation of 1.3 acres within the place of use described above in a single irrigation season.

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

This water right shall be administered as being from a separate source pursuant to Basin 37 Part 2 General Provision No. 1.A or 1.B. If the holder of this right seeks to change the right pursuant to Idaho Code Sec. 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such a change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.

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

DEC 29 2011

Digella Dilley

 SPECIAL MASTER

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

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

DEC 29 2011

In Re SRBA)
)
Case No. 39576)
)

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

Water Right 37-13261B

By _____

Clerk

Deputy Clerk

NAME AND ADDRESS: BARBARA CRISTOBAL
JOHN CRISTOBAL
875 N 18 E ST
MOUNTAIN HOME, ID 83647

SOURCE: CORRAL CREEK TRIBUTARY: CAMAS CREEK

QUANTITY: 0.26 CFS

PRIORITY DATE: 06/01/1882

POINT OF DIVERSION: T01N R13E S29 NESESW Within Camas County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.26 CFS

PLACE OF USE: Irrigation Within Camas County
T01N R13E S32 SWNE 36.0 SENW 10.0
46.0 Acres Total

This right is limited to the irrigation of 30.1 acres within the place of use described above in a single irrigation season. The rights listed below are limited to the irrigation of a combined total of 46 acres in a single irrigation season. Combined Right Nos.: 37-35B, 37-454B, 37-463D, 37-728B, 37-2139B, 37-13261B, 37-13267B, 37-13268B, 37-13269B, and 37-13271B.

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

This water right shall be administered as being from a separate source pursuant to Basin 37 Part 2 General Provision No. 1.A or 1.B. If the holder of this right seeks to change the right pursuant to Idaho Code Sec. 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such a change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.

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

DEC 29 2011

Bigelow Lilley
SPECIAL MASTER

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WATER RESOURCES

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

DEC 29 2011

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 37-13267B

By _____

Clerk

Deputy Clerk

NAME AND ADDRESS: BARBARA CRISTOBAL
JOHN CRISTOBAL
875 N 18 E ST
MOUNTAIN HOME, ID 83647

SOURCE: CORRAL CREEK TRIBUTARY: CAMAS CREEK

QUANTITY: 0.08 CFS

PRIORITY DATE: 06/01/1884

POINT OF DIVERSION: T01N R13E S29 NESESW Within Camas County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.08 CFS

PLACE OF USE:	Irrigation	Within Camas County
	T01N R13E S32	SWNE 36.0
	46.0 Acres Total	SENE 10.0

This right is limited to the irrigation of 15.4 acres within the place of use described above in a single irrigation season. The rights listed below are limited to the irrigation of a combined total of 46 acres in a single irrigation season. Combined Right Nos.: 37-35B, 37-454B, 37-463D, 37-728B, 37-2139B, 37-13261B, 37-13267B, 37-13268B, 37-13269B, and 37-13271B.

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

This water right shall be administered as being from a separate source pursuant to Basin 37 Part 2 General Provision No. 1.A or 1.B. If the holder of this right seeks to change the right pursuant to Idaho Code Sec. 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such a change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.

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

DEC 29 2011

Digella Dilyer
SPECIAL MASTER

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

DEC 29 2011

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 37-13268B

By _____

Clerk

Deputy Clerk

NAME AND ADDRESS: BARBARA CRISTOBAL
JOHN CRISTOBAL
875 N 18 E ST
MOUNTAIN HOME, ID 83647

SOURCE: CORRAL CREEK TRIBUTARY: CAMAS CREEK

QUANTITY: 0.06 CFS

PRIORITY DATE: 06/01/1886

POINT OF DIVERSION: T01N R13E S29 NESESW Within Camas County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.06 CFS

PLACE OF USE:	Irrigation	Within Camas County
	T01N R13E S32 46.0 Acres Total	SWNE 36.0 SENE 10.0

This right is limited to the irrigation of 13.0 acres within the place of use described above in a single irrigation season. The rights listed below are limited to the irrigation of a combined total of 46 acres in a single irrigation season. Combined Right Nos.: 37-35B, 37-454B, 37-463D, 37-728B, 37-2139B, 37-13261B, 37-13267B, 37-13268B, 37-13269B, and 37-13271B.

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

This water right shall be administered as being from a separate source pursuant to Basin 37 Part 2 General Provision No. 1.A or 1.B. If the holder of this right seeks to change the right pursuant to Idaho Code Sec. 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such a change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.

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

DEC 29 2011

Brietta Silbey
SPECIAL MASTER

RULE 54(b) CERTIFICATE

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Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

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Deputy Clerk

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Bipetto Lilycu
SPECIAL MASTER

RULE 54(b) CERTIFICATE

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Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

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

DEC 29 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)
)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
)
) Water Right 37-13271B

NAME AND ADDRESS: BARBARA CRISTOBAL
JOHN CRISTOBAL
875 N 18 E ST
MOUNTAIN HOME, ID 83647

SOURCE: LANSING CREEK TRIBUTARY: CAMAS CREEK

QUANTITY: 0.04 CFS

PRIORITY DATE: 05/20/1901

POINT OF DIVERSION: T01N R13E S29 NESENE Within Camas County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.04 CFS

PLACE OF USE:	Irrigation	Within Camas County
	T01N R13E S32	SWNE 36.0
	46.0 Acres Total	SENE 10.0

This right is limited to the irrigation of 3.1 acres within the place of use described above in a single irrigation season. The rights listed below are limited to the irrigation of a combined total of 46 acres in a single irrigation season. Combined Right Nos.: 37-35B, 37-454B, 37-463D, 37-728B, 37-2139B, 37-13261B, 37-13267B, 37-13268B, 37-13269B, and 37-13271B.

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

This water right shall be administered as being from a separate source pursuant to Basin 37 Part 2 General Provision No. 1.A or 1.B. If the holder of this right seeks to change the right pursuant to Idaho Code Sec. 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such a change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.

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

DEC 29 2011

Lipelle Silvers
SPECIAL MASTER

RULE 54(b) CERTIFICATE

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Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

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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

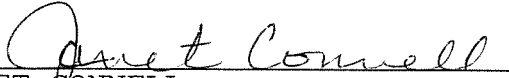
Water Right(s): 37-00035B
37-00454B 37-00728B 37-02139B
37-13261B 37-13267B 37-13268B
37-13269B 37-13271B

On December 29, 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 December 29, 2011.


JANET CONNELL
Deputy Clerk

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DEC 30 2011
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho
DEC 29 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): 37-00035B
37-00454B 37-00728B 37-02139B
37-13261B 37-13267B 37-13268B
37-13269B 37-13271B

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 December 29, 2011, with sufficient first-class postage prepaid to the following:

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

BARBARA CRISTOBAL
JOHN CRISTOBAL
875 N 18 E ST
MOUNTAIN HOME, ID 83647
Phone: 208-587-8010


JANET CONNELL
Deputy Clerk

CERTIFICATE OF MAILING

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