

RECEIVED

JAN 25 2012

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
JAN 24 2012	
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
Case No. 39576	)	FACT AND CONCLUSIONS OF LAW
	)	
	)	FOR WATER RIGHTS: 37-158A,
	)	37-577A, 37-7745C, 37-20936,
_____	)	37-20938, 37-20940, and 37-20944

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 to each water right by Eccles Window Rock Ranch on November 1, 2007. The *Objections* were resolved 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: January 24, 2012.



BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

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

JAN 24 2012

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 37-00158A

NAME AND ADDRESS: ECCLES WINDOW ROCK RANCH LLC
PO BOX 3028
SALT LAKE CITY, UT 84110

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.40 CFS

Right Nos. 37-158A and 37-577A are limited to a total combined
annual diversion volume of 56 AF.
This right when combined with all other rights shall provide no
more than 3.5 afa per acre for irrigation of the lands above.

PRIORITY DATE: 07/01/1881

POINT OF DIVERSION: T01N R18E S01 SENWSW Within Blaine County

PURPOSE AND			
PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.40 CFS

PLACE OF USE:	Irrigation		Within Blaine County
	T01N R18E S01	NWSW 8.5	SWSW 7.5
	16.0 Acres Total		

Right Nos. 37-158A and 37-577A are limited to the irrigation of
a combined total of 16 acres in a single irrigation season.
The rights listed below are limited to the irrigation of a
combined total of 65 acres in a single irrigation season.
Combined Right Nos.: 37-577A, 37-158A, 37-22546, 37-22547.

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

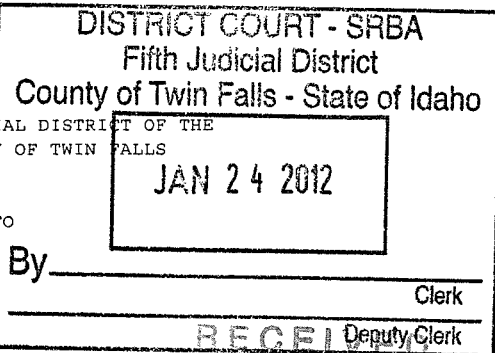
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment 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.

RECOMMENDATION

JAN 24 2012

Bijette Silvers
SPECIAL MASTER

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)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Case No. 39576)
Water Right 37-00577A

NAME AND ADDRESS: ECCLES WINDOW ROCK RANCH LLC
PO BOX 3028
SALT LAKE CITY, UT 84110

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.35 CFS

Right Nos. 37-158A and 37-577A are limited to a total combined
annual diversion volume of 56 AF.
This right when combined with all other rights shall provide no
more than 3.5 afa per acre for irrigation of the lands above.

PRIORITY DATE: 03/24/1883

POINT OF DIVERSION: T01N R18E S01 SENWSW Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.35 CFS

PLACE OF USE:	Irrigation	Within Blaine County
	T01N R18E S01 NWSW 8.5 SWSW 7.5	
	16.0 Acres Total	

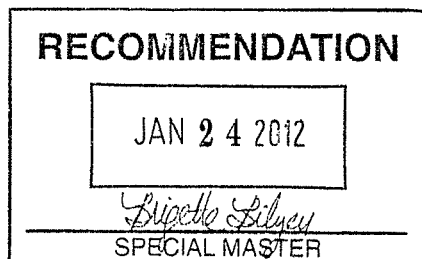
The rights listed below are limited to the irrigation of a
combined total of 65 acres in a single irrigation season.
Combined Right Nos.: 37-577A, 37-158A, 37-22546, 37-22547.

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

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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

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

JAN 24 2012

In Re SRBA)
Case No. 39576)
_____)

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

Water Right 37-07745C

By _____

Clerk

Deputy Clerk

NAME AND ADDRESS: ECCLES WINDOW ROCK RANCH LLC
PO BOX 3028
SALT LAKE CITY, UT 84110

SOURCE: GROUND WATER

QUANTITY: 0.93 CFS
175.00 AFY

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the place of use for this right. The right holder shall maintain a totalizing measuring device of a type approved by the Department as a part of the diverting works.

PRIORITY DATE: 10/25/1978

POINT OF DIVERSION: T01N R18E S02 LOT 1 (SENE) Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	0.93 CFS 175.00 AFY

PLACE OF USE: Irrigation
T01N R18E S02 LOT 1 (NENE) 25.0
50.0 Acres Total
Within Blaine County
SENE 25.0

Right Nos. 37-1227A, 37-2468A, 37-7745C, 37-20936, 37-20938, 37-20940, and 37-20944 are limited to the irrigation of a combined total of 40.5 acres in a single irrigation season.

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

The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right.

This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.

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

JAN 24 2012

Shirley Lilley
SPECIAL MASTER

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

JAN 24 2012

By _____ Clerk
Deputy Clerk

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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)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Case No. 39576)
Water Right 37-20936

NAME AND ADDRESS: ECCLES WINDOW ROCK RANCH LLC
PO BOX 3028
SALT LAKE CITY, UT 84110

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.60 CFS

PRIORITY DATE: 06/01/1885

POINT OF DIVERSION: T01N R18E S02 LOT 1 (SWNE) Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.60 CFS

PLACE OF USE: Irrigation Within Blaine County

T01N R18E S02 LOT 1 (NENE) 17.0	LOT 2 (NWNE) 9.5
SENE 14.0	
40.5 Acres Total	

Right Nos. 37-1227A, 37-2468A, 37-7745C, 37-20936, 37-20938, 37-20940, and 37-20944 are limited to the irrigation of a combined total of 40.5 acres in a single irrigation season.

Right Nos. 37-1227A, 37-2468A, 37-20936, 37-20938, 37-20940, and 37-20944 are limited to the irrigation of a combined total of 40.5 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.

RECOMMENDATION

JAN 24 2012

Bugetto Lilley
SPECIAL MASTER

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

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DEPARTMENT OF
WATER RESOURCES

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

JAN 24 2012

By _____ Clerk
Deputy Clerk

In Re SRBA)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Case No. 39576)
Water Right 37-20938

NAME AND ADDRESS: ECCLES WINDOW ROCK RANCH LLC
PO BOX 3028
SALT LAKE CITY, UT 84110

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.63 CFS

PRIORITY DATE: 06/01/1886

POINT OF DIVERSION: T01N R18E S02 LOT 1 (SWNE) Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.63 CFS

PLACE OF USE: Irrigation Within Blaine County
T01N R18E S02 LOT 1 (NENE) 17.0 LOT 2 (NWNE) 9.5
SENE 14.0
40.5 Acres Total

Right Nos. 37-1227A, 37-2468A, 37-7745C, 37-20936, 37-20938, 37-20940, and 37-20944 are limited to the irrigation of a combined total of 40.5 acres in a single irrigation season.
Right Nos. 37-1227A, 37-2468A, 37-20936, 37-20938, 37-20940, and 37-20944 are limited to the irrigation of a combined total of 40.5 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).

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RECOMMENDATION

JAN 24 2012

Bipetto Lilley
SPECIAL MASTER

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

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

JAN 24 2012

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 37-20940

NAME AND ADDRESS: ECCLES WINDOW ROCK RANCH LLC
PO BOX 3028
SALT LAKE CITY, UT 84110

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 1.10 CFS

PRIORITY DATE: 08/15/1902

POINT OF DIVERSION: T01N R18E S02 LOT 1 (SWNE) Within Blaine County

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WATER RESOURCES

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	1.10 CFS

PLACE OF USE: Irrigation Within Blaine County

T01N R18E S02 LOT 1 (NENE) 17.0	LOT 2 (NWNE) 9.5
SENE 14.0	
40.5 Acres Total	

Right Nos. 37-1227A, 37-2468A, 37-20936, 37-20938, 37-20940, and 37-20944 are limited to the irrigation of a combined total of 40.5 acres in a single irrigation season.

Right Nos. 37-1227A, 37-2468A, 37-7745C, 37-20936, 37-20938, 37-20940, and 37-20944 are limited to the irrigation of a combined total of 40.5 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

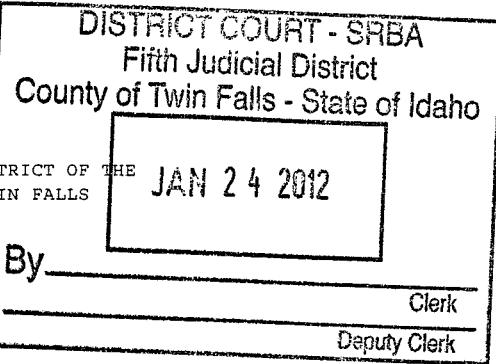
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RECOMMENDATION

JAN 24 2012

Bigella Silvey
SPECIAL MASTER

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 37-20944

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DEPARTMENT OF
WATER RESOURCES

NAME AND ADDRESS: ECCLES WINDOW ROCK RANCH LLC
PO BOX 3028
SALT LAKE CITY, UT 84110

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.25 CFS

PRIORITY DATE: 06/10/1880

POINT OF DIVERSION: T01N R18E S02 LOT 1 (SWNE) Within Blaine County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	0.25 CFS

PLACE OF USE: Irrigation Within Blaine County

T01N R18E S02 LOT 1 (NENE) 17.0	LOT 2 (NWNE) 9.5
SENE 14.0	
40.5 Acres Total	

Right Nos. 37-1227A, 37-2468A, 37-20936, 37-20938, 37-20940, and 37-20944 are limited to the irrigation of a combined total of 40.5 acres in a single irrigation season.

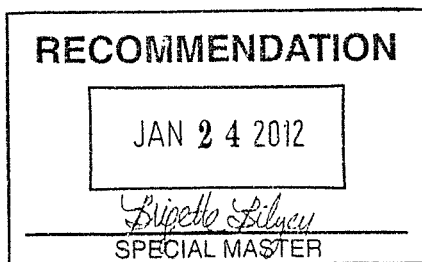
Right Nos. 37-1227A, 37-2468A, 37-7745C, 37-20936, 37-20938, 37-20940, 37-20944 are limited to the irrigation of a combined total of 40.5 acres in a single irrigation season.

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).

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

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DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JAN 24 2012	
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)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

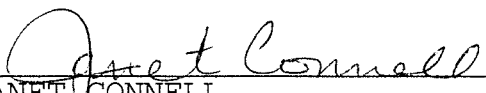
Water Right(s): 37-00158A
37-00577A 37-07745C 37-20936
37-20938 37-20940 37-20944

On January 24, 2012, 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 January 24, 2012.


JANET CONNELL
Deputy Clerk

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Fifth Judicial District	
County of Twin Falls - State of Idaho	
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_____	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): 37-00158A
37-00577A 37-07745C 37-20936
37-20938 37-20940 37-20944

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 January 24, 2012, with sufficient first-class postage prepaid to the following:

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

ECCLES WINDOW ROCK RANCH LLC
Represented by:
JOHN E. ROBERTSON
PO BOX 1906
TWIN FALLS, ID 83303
Phone: 208-933-0700

CERTIFICATE OF MAILING


JANET CONNELL
Deputy Clerk

PAGE 1

01/24/12