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MAR 19 2012

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
MAR 16 2012
By _____ Clerk
Deputy Clerk

In Re SRBA

Case No. 39576

) SPECIAL MASTER'S REPORT AND
) RECOMMENDATION; FINDINGS OF
) FACT AND CONCLUSIONS OF LAW

) WATER RIGHT NO.: 22-13854
)

I. FINDINGS OF FACT

A notice of claim was filed for this water right 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 a recommendation for the elements of this water right.

Objections were filed by Michael Reid and Larell A. Kunz. A Status Conference was held on October 12, 2011. At the hearing, the parties explained that this subcase was thought to be resolved, but the *SF5* settlement document lacked Michael Reid's signature. IDWR reported that the *Standard Form 5* had been mailed to Michael Reid, but had not been returned. Mr. Reid stated on the record that he agreed to the *SF5* for 22-13854 and had signed it and mailed it.

At the hearing, the Court informed the parties that if the *SF5*'s were not signed and filed within a week, it would issue an *Order to Show Cause*. Completed *SF5*'s were not filed, so the Court issued an *Order to Show Cause* why this right should not be recommended consistent with the proposed *Standard Form 5*. A hearing was held on December 7, 2011.

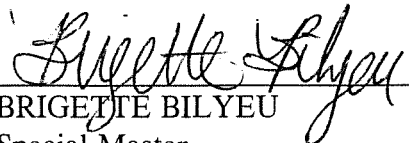
Mr. Reid attended the hearing on December 7, 2012. However, since Mr. Reid stipulated on the record at the hearing on October 12, 2011 to the elements of the *SF5*, no "good cause" was shown. Therefore the court will recommend 22-13854 consistent with the *Standard Form 5*.

The Court notes that Michael Reid filed a document titled *Objection to Amended Director's Report* on March 12, 2012. The *Motion* is **denied** for two reasons. First, no *Amended Director's Report* was filed for this subcase. Second, no proposed late *Objection* was filed using the required *Objection* form. (Standard Form 1)

II. CONCLUSIONS OF LAW

Therefore, based on the file and record herein, IT IS RECOMMENDED that this water right be **decreed** with the elements set forth in the attached *Special Master's Recommendation for Partial Decree*.

DATED: March 16, 2012.



BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

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

MAR 16 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 22-13854

NAME AND ADDRESS: RICHARDSON FAMILY PROPERTIES
LLC
PO BOX 469
VICTOR, ID 83455

SOURCE: PARADISE SPRINGS TRIBUTARY: TETON RIVER

QUANTITY: 0.24 CFS

PRIORITY DATE: 06/01/1904

POINT OF DIVERSION: T04N R45E S30 NENW Within Teton County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 04-15 TO 10-31 0.24 CFS

PLACE OF USE: Irrigation Within Teton County
T04N R45E S19 SWSE 31.0
31.0 Acres Total

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This right is limited to the irrigation of 17 acres within the
place of use described above in a single irrigation season.
Right Nos. 22-13854 and 22-13998 are limited to the irrigation
of a combined total of 31 acres in a single irrigation season.

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

This water right shall not be permitted to make a delivery call
against water right nos. 22-13135, 22-13961, 22-13962, 22-13963,
22-13964, 22-2280E, 22-2296B, 22-2296D, and 22-13681, and their
progeny.

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

MAR 16 2012

Ligella Lilley
SPECIAL MASTER

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

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WATER RESOURCES

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MAR 16 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

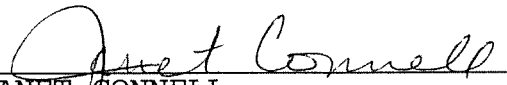
Water Right(s): 22-13854

On March 16, 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 March 16, 2012.


JANET CONNELL
Deputy Clerk

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WATER RESOURCES

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STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 22-13854

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 March 16, 2012, with sufficient first-class postage prepaid to the following:

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

RICHARDSON FAMILY PROPERTIES

Represented by:
ROBERT L HARRIS
1000 RIVERWALK DR, STE 200
PO BOX 50130
IDAHO FALLS, ID 83405
Phone: 208-523-0620

CERTIFICATE OF MAILING

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03/16/12

CEDRON IRRIGATION LLC
MAHOGANY RANCH HOLDINGS
TETON RAINBOW RANCHES INC
TREES INC

WALLY JR ROTHGEB

Represented by:

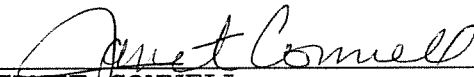
THOMAS J BUDGE
201 E CENTER ST
PO BOX 1391
POCATELLO, ID 83204-1391
Phone: 208-232-6101

MICHAEL REID

PO BOX 801
VICTOR, ID 83455
Phone: 208-354-8024

LARELL A KUNZ

4346 W 5250 S
VICTOR, ID 83455
Phone: 208-354-2554



JANET CONNELL
Deputy Clerk