

DISTRICT COURT - SABA
 First Judicial District
 County of Twin Falls - State of Idaho
 JUN 19 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

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

FOR WATER RIGHT: 22-7253

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 Little Farms, Canyon Creek Lateral Ditch Water Users Association, and the United States Bureau of Reclamation. The *Objections* were resolved on July 25, 2008 with the filing of a *Standard Form 5*. All parties to the subcase and IDWR are signatories to the *Standard Form 5*.

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: ~~May~~ ^{JUNE} 19, 2012.


BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

JUN 15 2012

By _____ Clerk

Deputy Clerk

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May-07-2012

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

PLACE OF USE (continued)

	SESW 37.0	NESE 40.0
	NWSE 40.0	SWSE 40.0
	SESE 40.0	
S07	NENE 39.0	NWNE 40.0
	SWNE 40.0	SENE 40.0
	NENW 40.0	LOT 1 (NWNW) 38.0
LOT 2	(SWNW) 38.0	SENW 40.0
	NESW 40.0	LOT 3 (NWSW) 38.0
LOT 4	(SWSW) 38.0	SESW 40.0
	NESE 40.0	NWSE 40.0
	SWSE 40.0	SESE 39.0
S08	NWNE 40.0	SWNE 14.0
	NENW 40.0	NWNW 40.0
	SWNW 40.0	SENW 40.0
	NESW 40.0	NWSW 40.0
	SWSW 40.0	SESW 40.0
	NWSE 14.0	SWSE 13.0
T07N R41E S26	NESW 39.0	NWSW 13.0
	SWSW 35.0	SESW 39.0
S27	SESE 5.0	
S35	NENE 39.0	NWNE 39.0
	SWNE 40.0	SENE 40.0
	NENW 39.0	NWNW 39.0
	SWNW 40.0	SENW 40.0
	NESE 40.0	NWSE 40.0
	SWSE 33.0	SESE 37.0
R42E S30 LOT 4	(SWSW) 17.0	SESW 40.0
	NESE 9.1	SWSE 40.0
	SESE 40.0	
S31	SWNE 40.0	SENE 38.0
LOT 2	(SWNW) 39.0	SENW 40.0
	NESW 40.0	SESW 38.0
	NESE 37.0	NWSE 40.0
	SWSE 39.0	SESE 38.0
S32	NESW 40.0	NWSW 39.0
	SWSW 37.0	NWSE 36.0
3667.9 Acres Total		

This right is limited to the irrigation of 1720 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the the irrigation of a combined total of 3667.9 acres in a single irrigation season. Combined Right Nos.: 22-163A, 22-2753, 22-7276, 22-13738 and 22-13739.

Place of use does not include federal public lands.

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

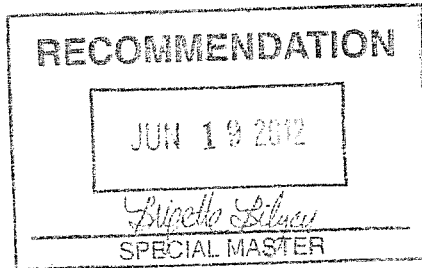
No demand on upstream prior rights or exisiting prior exchanges can be made and no interference with prior rights located between the rediversion pumps and the point of injection will be allowed even if the exchange well is pumping water into the Teton Irrigation Canal.

The exchange well must inject water into the Teton Irrigation Canal under this right, and the injection must continue after the diversion from the Teton River ceases until the water not diverted reaches the point of injection.

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

DISTRICT COURT - SRBA
 Fifth Judicial District
 County of Twin Falls - State of Idaho
 JUN 19 2012
 By _____
 Clerk

 Deputy Clerk

In Re SRBA)
)
Case No. 39576)
)
)

Water Right(s) : 22-07253


JANET CONNELL
Deputy Clerk

RECEIVED
JUN 20 2012
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
JUN 19 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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 22-07253

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 19, 2012, with sufficient first-class postage prepaid to the following:

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

CANYON CREEK LATERAL
Represented by:
JERRY R. RIGBY
25 N 2ND E
PO BOX 250
REXBURG, ID 83440-0250
Phone: 208-356-3633

UNITED STATES OF AMERICA
USDI BUREAU OF RECLAMATION
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

CERTIFICATE OF MAILING

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STATE OF IDAHO
JANET CONNELL

LITTLE FARMS
C/O DWIGHT LITTLE
2869 E HWY 33
NEWDALE, ID 83436
Phone: 208-390-0678



JANET CONNELL
Deputy Clerk