

RECEIVED

JUL 25 2012

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUL 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
	)
Case No. 39576	) FINDINGS OF FACT AND
	) CONCLUSIONS OF LAW
	)
	) FOR WATER RIGHTS 37-00438,
	) 37-00439, 37-00440, and 37-00441
	)
	) RECOMMENDATION OF
_____	) DISALLOWANCE FOR 37-12086

I. FINDINGS OF FACT

Notices of claim were filed for the above-captioned water rights 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 for the elements of water rights 37-00438, 37-00439, 37-00440, and 37-00441. The *Director's Report* recommended claim 37-12086 be disallowed.

On November 14, 2007, the claimant Wolf Springs Ranch filed an objection to the *Director's Report* for claim 37-12086, asserting that the claim should not be disallowed. Claim nos. 37-00438, 37-00439, 37-00440, and 37-00441 were identified by IDWR as uncontested claims that may be affected by the outcome of contested claim 37-12086. On July 10, 2012, at a hearing on the record, the claimant withdrew its objection in subcase 37-12086. There are therefore no unresolved objections to the *Director's Report* for these claims.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein, IT IS RECOMMENDED that water rights 37-00438, 37-00439, 37-00440, and 37-00441 be **decreed** with the elements as set forth in the

attached *Recommendation for Partial Decree Pursuant to I.R.C.P. 54(b)*. IT IS FURTHER RECOMMENDED that a final order be issued **disallowing** claim 37-12086 with prejudice.

Dated July 24, 2012



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 37-00438

NAME AND ADDRESS: WOLF SPRINGS RANCH
RT 1 BOX 1130
FAIRFIELD, ID 83327

SOURCE: CAMP CREEK TRIBUTARY: CAMAS CREEK

QUANTITY: 3.00 CFS

PRIORITY DATE: 06/15/1881

POINT OF DIVERSION: T01N R16E S34 NESENE Within Blaine County
SESESE
T01S R16E S02 NENESE
S12 NWNWNE

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	3.00 CFS

PLACE OF USE:	Irrigation	Within Camas County
T01N R16E S34	SWNE 1.1 NESE 12.0 SESE 20.0	SENE 15.0 NWSE 5.5
T01S R16E S01	NWSW 11.0 SESW 38.0	SWSW 39.0 SWSE 39.0
S02 LOT 2	(NWNW) 5.1 SENE 3.1 SENW 3.2 NWSE 7.6	SWNE 31.0 (NENW) 7.1 NESE 33.0 SESE 23.0
S12	NENE 18.0 SWNE 31.0 NENW 39.0	NWNE 40.0 SENE 40.0
R17E S07 LOT 1	(NWNW) 0.1	LOT 2 (SWNW) 2.2
464.0 Acres Total		

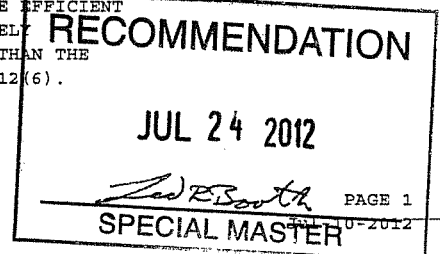
The rights listed below are limited to the irrigation of a combined total of 464 acres in a single irrigation season. Combined Right Nos.: 37-438, 37-439, 37-440, and 37-441.

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.

Basin 37 General Provision No. 1.A or 1.B, the separate streams general provision, shall only apply to water rights that are partially decreed in the Snake River Basin Adjudication.

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 37-00439

NAME AND ADDRESS: WOLF SPRINGS RANCH
RT 1 BOX 1130
FAIRFIELD, ID 83327

SOURCE: CAMP CREEK TRIBUTARY: CAMAS CREEK

QUANTITY: 3.20 CFS

PRIORITY DATE: 05/15/1885

POINT OF DIVERSION: T01N R16E S34 NESENE Within Blaine County
SESESE
T01S R16E S02 NENESE
S12 NWNWNE

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 04-15 TO 10-31 3.20 CFS

PLACE OF USE: Irrigation Within Camas County
T01N R16E S34 SWNE 1.1 SENE 15.0
NESE 12.0 NWSE 5.5
SESE 20.0
Within Blaine County
T01S R16E S01 NWSW 11.0 SWSW 39.0
SESW 38.0 SWSE 39.0
S02 LOT 2 (NWNE) 5.1 SWNE 31.0
SENE 3.1 LOT 3 (NENW) 7.1
SENW 3.2 NESE 33.0
NWSE 7.6 SESE 23.0
S12 NENE 18.0 NWNE 40.0
SWNE 31.0 SENE 40.0
NENW 39.0
R17E S07 LOT 1 (NWNW) 0.1 LOT 2 (SWNW) 2.2
464.0 Acres Total

The rights listed below are limited to the irrigation of a
combined total of 464 acres in a single irrigation season.
Combined Right Nos.: 37-438, 37-439, 37-440, and 37-441.

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.

Basin 37 General Provision No. 1.A or 1.B, the separate streams
general provision, shall only apply to water rights that are
partially decreed in the Snake River Basin Adjudication.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE DEFINITION
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

JUL 24 2012

SPECIAL MASTER

PAGE 1

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 37-00440

NAME AND ADDRESS: WOLF SPRINGS RANCH
RT 1 BOX 1130
FAIRFIELD, ID 83327

SOURCE: CAMP CREEK TRIBUTARY: CAMAS CREEK

QUANTITY: 4.00 CFS

PRIORITY DATE: 03/23/1887

POINT OF DIVERSION: T01N R16E S34 NESENE Within Blaine County
SESESE
T01S R16E S02 NENESE
S12 NWNWNE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	4.00 CFS

PLACE OF USE:	Irrigation	Within Camas County
T01N R16E S34	SWNE 1.1 NESE 12.0 SESE 20.0	SENE 15.0 NWSE 5.5
T01S R16E S01	NWSW 11.0 SESW 38.0	SWSW 39.0 SWSE 39.0
S02 LOT 2	(NWNW) 5.1 SENE 3.1 SENE 3.2 NWSE 7.6	SWNE 31.0 (NENW) 7.1 NESE 33.0 SESE 23.0
S12	NENE 18.0 SWNE 31.0 NENW 39.0	NWNE 40.0 SENE 40.0
R17E S07 LOT 1	(NWNW) 0.1	LOT 2 (SWNW) 2.2
464.0 Acres Total		

The rights listed below are limited to the irrigation of a combined total of 464 acres in a single irrigation season. Combined Right Nos.: 37-438, 37-439, 37-440, and 37-441.

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.

Basin 37 General Provision No. 1.A or 1.B, the separate streams general provision, shall only apply to water rights that are partially decreed in the Snake River Basin Adjudication.

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

JUL 24 2012

SPECIAL MASTER

RULE 54(b) CERTIFICATE

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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 37-00441

NAME AND ADDRESS: WOLF SPRINGS RANCH
RT 1 BOX 1130
FAIRFIELD, ID 83327

SOURCE: SPRINGS TRIBUTARY: CAMP CREEK

QUANTITY: 1.50 CFS

The quantity of water for stockwater under this right shall not
exceed 13,000 gallons per day.

PRIORITY DATE: 05/01/1901

POINT OF DIVERSION: T01S R16E S01 LOT 4 (SWNNWN) Within Blaine County
S12 SWNENE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	1.50 CFS
	Stockwater	01-01 TO 12-31	0.12 CFS

PLACE OF USE:	Irrigation	Within Camas County
	T01N R16E S34	SWNE 1.1 SENE 15.0 NESE 12.0 NWSE 5.5 SESE 20.0
	T01S R16E S01	NWSW 11.0 SWSW 39.0 SESW 38.0 SWSE 39.0
	S02 LOT 2	(NWNE) 5.1 SENE 3.1 SENW 3.2 NESE 33.0 NWSE 7.6 SESE 23.0
	S12	NENE 18.0 NWNE 40.0 SWNE 31.0 SENE 40.0 NENW 39.0
	R17E S07 LOT 1	(NWNW) 0.1 LOT 2 (SWNW) 2.2
	464.0 Acres Total	
	Stockwater	Within Camas County
	T01N R16E S34	SWNE SENE NESE NWSE SESE
	T01S R16E S01	NWSW SWSW SESW SWSE
	S02 LOT 2	(NWNE) SENE SENW NESE NWSE SESE
	S12	NENE NWNE SWNE SENE NENW
	R17E S07 LOT 1	(NWNW) LOT 2 (SWNW)

The rights listed below are limited to the irrigation and
combined total of 464 acres in a single irrigation season.
Combined Right Nos.: 37-438, 37-439, 37-440, and 37-441.

RECOMMENDATION

JUL 24 2012

SPECIAL MASTER

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

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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	
JUL 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) : 37-00438
37-00439 37-00440 37-00441
37-12086

On July 24, 2012, 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 July 24, 2012.



DIANA R DELANEY
Deputy Clerk

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

JUL 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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 37-00438
37-00439 37-00440 37-00441
37-12086

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

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

~~WOLF SPRINGS RANCH
RT 1 BOX 1130
FAIRFIELD, ID 83327
Phone: 208-764-2560~~

WOLF SPRINGS RANCH
RT 1 PO BOX 1130
FAIRFIELD, ID 83327
Phone: 208-358-1121


DIANA R DELANEY
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
07/24/12