

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 63-02655,
) 63-33233, and 63-33393
)
) RECOMMENDATION OF
) DISALLOWANCE FOR 63-02143

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 or abstract for the elements of these water rights. (Water right claim 63-02143 was split into 63-33232 and 63-33233.)

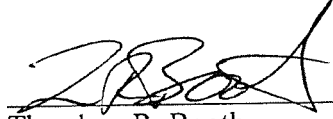
The claimant of these water rights, Lord Ranch LLP, through its attorney Dana Hofstetter, filed objections to the *Director's Report*. On March 6, 2012, IDWR filed Notices of Completed Administrative Proceedings (NCAP) for each of the claims. At a status conference held on the record on June 26, 2012, counsel for the claimant stated that the NCAP's resolved all of the issues in the subcases.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein, IT IS RECOMMENDED that water rights 63-02655, 63-33233, and 63-33393 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 water right number 63-02143

Dated July 24, 2012



Theodore R. Booth
Special Master
Snake River Basin Adjudication

In Re SRBA) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 63-02655

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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 63-33233

NAME AND ADDRESS: LORD RANCH LLP
1171 MAYFIELD RD
BOISE, ID 83716-3401

SOURCE: SLATER CREEK TRIBUTARY: INDIAN CREEK
UNNAMED STREAMS TRIBUTARY: SLATER CREEK

QUANTITY: 0.66 CFS

Right Nos. 63-2655, 63-33233 and 63-33393 are limited to a total
combined diversion rate of 1.06 cfs.

PRIORITY DATE: 10/21/1910

POINT OF DIVERSION: T01N R04E S23 NENE Within Elmore County
NENE
NWNE
SENE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.66 CFS
	Domestic	01-01 TO 12-31	0.02 CFS

PLACE OF USE:	Irrigation	Within Elmore County
	T01N R04E S23	NENE 15.0 NWNE 1.0 SENE 14.0 NWSE 16.0
	53.0 Acres Total	
	Domestic	Within Elmore County
	Same as Irrigation	

This right is limited to the irrigation of 33 acres within the
place of use described above in a single irrigation season.
Right Nos. 63-2655, 63-33233 and 63-33393 are limited to the
irrigation of a combined total of 53 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).

RECOMMENDATION

JUL 24 2012

Lawrence Booth
SPECIAL MASTER

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 63-33393

NAME AND ADDRESS: LORD RANCH LLP
1171 MAYFIELD RD
BOISE, ID 83716-3401

SOURCE: SLATER CREEK TRIBUTARY: INDIAN CREEK
UNNAMED STREAMS TRIBUTARY: SLATER CREEK

QUANTITY: 0.40 CFS

Right Nos. 63-2655, 63-33233 and 63-33393 are limited to a total
combined diversion rate of 1.06 cfs.

PRIORITY DATE: 06/26/1911

POINT OF DIVERSION: T01N R04E S23 NENE Within Elmore County
NENE
NWNE
SENE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.40 CFS

PLACE OF USE:	Irrigation	Within Elmore County	
	T01N R04E S23	NENE 15.0	NWNE 1.0
		SWNE 6.0	SENE 14.0
		NESE 1.0	NWSE 16.0
	53.0 Acres Total		

This right is limited to the irrigation of 20 acres within the
place of use described above in a single irrigation season.
Right Nos. 63-2655, 63-33233 and 63-33393 are limited to the
irrigation of a combined total of 53 acres in a single
irrigation season.

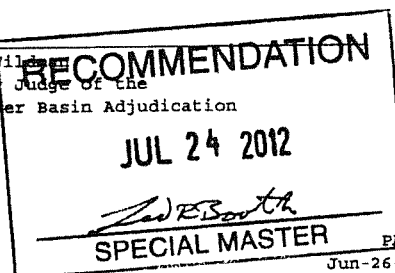
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

Eric J. Wilcox
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

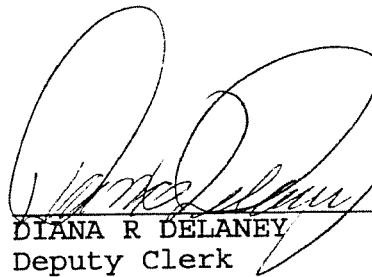
Water Right(s): 63-02143
63-02655 63-33233 63-33393

On July 24, 2012, Special Master ERIC J WILDMAN
issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s)
pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

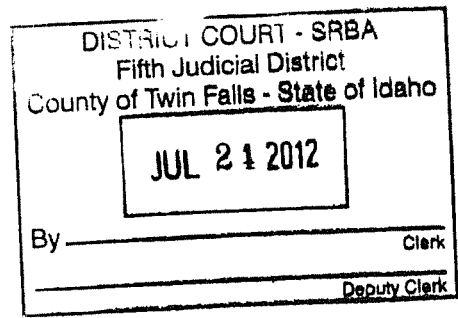
Pursuant to SRBA Administrative Order 1, Section 13a, any party
to the adjudication including parties to the subcase, may file a Motion
to Alter or Amend on or before the 28th day of the next month.

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



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): 63-02143
63-02655 63-33233 63-33393

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

ARK PROPERTIES LLC
Represented by:
BRUCE M. SMITH
950 W BANNOCK STE 520
BOISE, ID 83702
Phone: 208-331-1800

LORD RANCH LLP
Represented by:
DANA L. HOFSTETTER
608 WEST FRANKLIN STREET
BOISE, ID 83702
Phone: 208-424-7800

CERTIFICATE OF MAILING

DIANA R DELANEY
Deputy Clerk

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