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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUL 31 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
	)	RECOMMENDATION; FINDINGS OF
Case No. 39576	)	FACT AND CONCLUSIONS OF LAW
	)	
	)	FOR WATER RIGHT: 21-7104
	)	
_____	)	

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 and Responses were filed by various parties. A *Motion to File Amended Notice of Claim* was filed on August 19, 2010 by multiple claimants to assert a recovered water/recharge theory (hereafter "rec/rec"). That theory and the related *Amended Claims* were later withdrawn by the claimants in consolidated subcase 00-92020.

Subsequently, IDWR reviewed its *Director's Reports* for the rec/rec subcases to insure that it had included the elements from prior decrees, licenses and transfers. This subcase was identified by IDWR as needing changes and was placed on the list of rec/rec subcases set for trial.

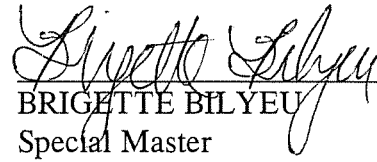
An *Amended Director's Report* was filed for this water right on May 30, 2012. The *Amended Director's Report* was placed on the Docket Sheet. No objection was filed to the *Amended Director's Report*, and the time for filing such objections has now expired. In addition, a Status Conference was held on July 18, 2012. The parties agreed that this subcase be

recommended and decreed with the elements of the *Amended Director's Report*.

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: July 31, 2012.


BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

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

JUL 31 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 21-07104

NAME AND ADDRESS: CRAPO FARMS INC
 1908 E 500 N
 ST ANTHONY, ID 83445

SOURCE: GROUND WATER

QUANTITY: 2.29 CFS
 396.00 AFY

Right Nos. 21-7104 and 21-13132 are limited to a total combined
 diversion rate of 2.29 cfs.

PRIORITY DATE: 02/16/1977

POINT OF DIVERSION: T08N R40E S23 SWSE Within Fremont County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	2.29 CFS
			396.00 AFY

PLACE OF USE:	Irrigation		Within Fremont County
	T08N R40E S23	NESW 30.0	SESW 36.0
		NESE 3.9	NWSE 37.0
		SWSE 39.0	SESE 4.8
	S26	NWNE 3.9	NENW 2.7
	157.3 Acres Total		

Right Nos. 21-7104 and 21-13132 are limited to the irrigation of
 a combined total of 157.3 acres in a single irrigation season.
 This right is limited to the irrigation of 132 acres within the
 place of use described above 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

JUL 31 2012

Eric J. Wildman

 SPECIAL MASTER

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

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County of Twin Falls - State of Idaho	
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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)
Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

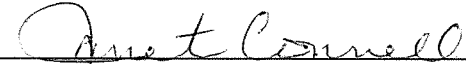
Water Right(s): 21-07104

On July 31, 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 July 31, 2012.


JANET CONNELL
Deputy Clerk

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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

Case No. 39576

CERTIFICATE OF MAILING

Water Right(s): 21-07104

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 31, 2012, with sufficient first-class postage prepaid to the following:

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

AMERICAN FALLS RESERVOIR

Represented by:
CRAIG D HOBDEY
HOBDEY LAW OFFICE PLLC
125 5TH AVE
PO BOX 176
GOODING, ID 83330-0176
Phone: 208-934-4429

CERTIFICATE OF MAILING

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CRAPO FARMS INC
EGIN BENCH CANALS INC
FREMONT MADISON IRRIGATION

Represented by:

JERRY R RIGBY
25 N 2ND E
PO BOX 250
REXBURG, ID 83440-0250
Phone: 208-356-3633

MILNER IRRIGATION DISTRICT

Represented by:

JOHN K SIMPSON
1010 W JEFFERSON ST STE 102
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

A & B IRRIGATION DISTRICT
BURLEY IRRIGATION DISTRICT

Represented by:

ROGER D LING
PO BOX 623
RUPERT, ID 83350-0623
Phone: 208-434-2717

MILNER IRRIGATION DISTRICT
NORTH SIDE CANAL CO LTD
TWIN FALLS CANAL COMPANY

Represented by:

TRAVIS L THOMPSON
195 RIVER VISTA PL STE 204
TWIN FALLS, ID 83301-3029
Phone: 208-733-0700

USDI BUREAU OF RECLAMATION

Represented by:

US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

MINIDOKA IRRIGATION DISTRICT

Represented by:

W KENT FLETCHER
1200 OVERLAND AVE
PO BOX 248
BURLEY, ID 83318-0248
Phone: 208-678-3250

CERTIFICATE OF MAILING

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JANET CONNELL
Deputy Clerk