

RECEIVED

SEP 25 2012

DEPARTMENT OF
WATER RESOURCES

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

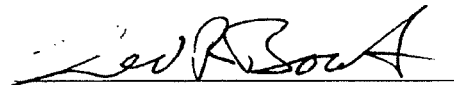
Case No. 39576

) SPECIAL MASTER'S REPORT AND
) RECOMMENDATION RE: MOTION
) FOR RELIEF FROM PARTIAL DECREE
)
) FOR WATER RIGHT 63-07891
)

An *Amended Partial Decree* was issued for the above-captioned water right on July 29, 2003. On June 6, 2012, the owner of the water right, Greene Tree, Inc., through its attorney Dylan B. Lawrence, filed a *Motion for Relief from Partial Decree*, seeking to correct an error therein, to wit: the source should be described as "spring" rather than "Chattanooga Hot Spring." A hearing on the *Motion* was held on September 11, 2012. Based upon the comments of the participants at the hearing, and upon the file and record herein, this Special Master finds that the claimant has demonstrated that the previously issued *Partial Decree* is in error as to the name of the source of water, and that further the error is clerical in nature.

Therefore based on the file and record herein, and pursuant to I.R.C.P. 60(a), IT IS RECOMMENDED that the SRBA District Court issue a second amended partial decree for water right 63-07891 with the elements as set forth in the attached *Recommendations for Partial Decree Pursuant to I.R.C.P. 54(b)*.

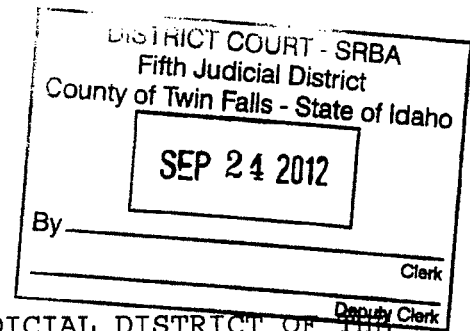
Dated Sept. 24, 2012


Theodore R. Booth
Special Master
Snake River Basin Adjudication

2^d **AMENDED**

Water Right 63-07891

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Sep-11-2012



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

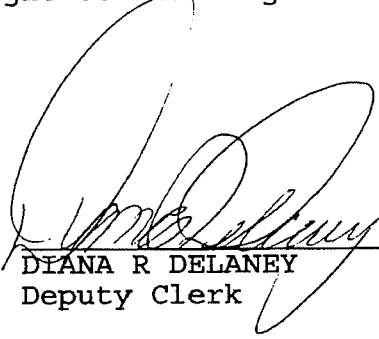
Water Right(s) : 63-07891

On September 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 September 24, 2012.



DIANA R DELANEY
Deputy Clerk

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

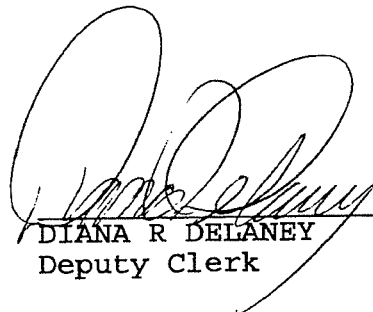
Water Right(s): 63-07891

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

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

GREENE TREE INC
Represented by:
DYLAN B LAWRENCE
101 S CAPITOL BLVD 10TH FL
PO BOX 829
BOISE, ID 83701-0829


DIANA R DELANEY
Deputy Clerk

CERTIFICATE OF MAILING

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