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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JAN - 8 2013	
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 47-17578
	) and 47-17579
	)
	) RECOMMENDATION OF
	) DISALLOWANCE FOR 47-07354

I. FINDINGS OF FACT

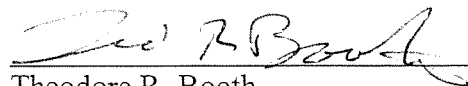
A notice of claim was filed for the water right 47-7354 pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources (IDWR) examined the water system for this reporting area. The *Director's Report* contained a recommendation or abstract for the elements of this water right.

On September 17, 2007, the Twin Falls Canal Company, through its attorney Paul L. Arrington, filed an objection to the *Director's Report*, asserting that a remark should be added clarifying that the source is wastewater. On June 8, 2009, the Twin Falls Canal Company withdrew its objection. On October 17, 2012, IDWR filed a *Notice of Completed Administrative Proceeding* notifying the Court that a license had been issued which split the claim into 47-17578 and 47-17579.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein, IT IS RECOMMENDED that water rights 47-17578 and 47-17579 be **decreed** with the elements as set forth in the attached *Recommendations for Partial Decrees Pursuant to I.R.C.P. 54(b)*.

Dated January 8, 2013


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
Case No. 39576) I.R.C.P. 54(b) FOR
)
) Water Right 47-17579

NAME AND ADDRESS: ALPHA L WOODMAN
RT 3 BOX 313
BUHL, ID 83316

DAVID FLINT
PAUL FLINT
4788 A RIVER RD
BUHL, ID 83316

SOURCE: GROUND WATER

This right authorizes the diversion of ground water within the Banbury Groundwater Management Area. Use of water under this right shall be subject to the provisions of the order approved by the director for the BGWMA.

QUANTITY: 0.87 CFS

PRIORITY DATE: 11/29/1976

POINT OF DIVERSION: T08S R14E S33 LOT 7 (NESWSW) Within Twin Falls County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Heating	01-01 TO 12-31	0.81 CFS 221.60 AFY
	Domestic	01-01 TO 12-31	0.06 CFS 1.80 AFY
	Recreation	01-01 TO 12-31	0.58 CFS 131.60 AFY

Domestic use is for interior uses within 2 homes and a packing shed.
Recreation use is for a private swimming pool and a fish pond.
Heating use is for 2 homes, and a multi-vault commercial greenhouse.

PLACE OF USE:	Heating	Within Twin Falls County
	T08S R14E S33 LOT 7 (SWSW)	
	Domestic	Within Twin Falls County
	T08S R14E S33 LOT 7 (SWSW)	
	Recreation	Within Twin Falls County
	T08S R14E S33 LOT 7 (SWSW)	

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

JAN - 8 2013

Lee R. Booth
SPECIAL MASTER

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 47-17578

NAME AND ADDRESS: ALPHA L WOODMAN
RT 3 BOX 313
BUHL, ID 83316

DAVID FLINT
PAUL FLINT
4788 A RIVER RD
BUHL, ID 83316

SOURCE: GROUND WATER

This right authorizes the diversion of ground water within the
Banbury Groundwater Management Area. Use of water under this
right shall be subject to the provisions of the order approved
by the director for the BGWMA.

QUANTITY: 0.95 CFS

PRIORITY DATE: 11/29/1976

POINT OF DIVERSION: T08S R14E S33 LOT 7 (SWSWSW) Within Twin Falls County
LOT 7 (SWSWSW)

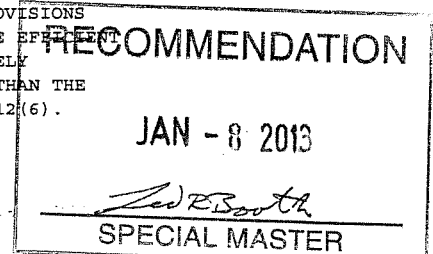
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Heating	01-01 TO 12-31	0.69 CFS 150.60 AFY
	Domestic	01-01 TO 12-31	0.08 CFS 2.40 AFY
	Recreation	01-01 TO 12-31	0.81 CFS 162.40 AFY

Heating use is for an office, a single vault greenhouse, a
multi-vault commercial greenhouse, 3 homes and a garage.
Recreation use is for a swimming pool, 2 hot tubs and a fish
pond.
Domestic use is for internal purposes only, within an office
and 3 homes.

PLACE OF USE:	Heating	Within Twin Falls County
	T08S R14E S33 LOT 7 (SWSW)	
	Domestic	Within Twin Falls County
	T08S R14E S33 LOT 7 (SWSW)	
	Recreation	Within Twin Falls County
	T08S R14E S33 LOT 7 (SWSW)	

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. Wildman
Presiding Judge of the
Snake River Basin Adjudication

DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
JAN - 8 2013	
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

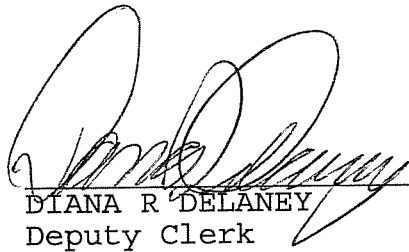
Water Right(s): 47-07354
47-17578 47-17579

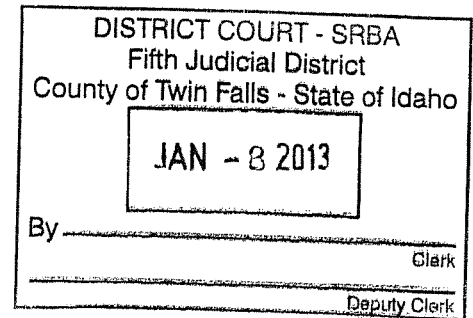
On January 08, 2013, Special Master THEODORE R. BOOTH issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

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 January 08, 2013.


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): 47-07354
47-17578 47-17579

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 January 08, 2013, with sufficient first-class postage prepaid to the following:

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

FLINT GREENHOUSE/MT STATES
PLANTS
PO BOX 724
LAYTON, UT 84041
Phone: 801-544-8878

TWIN FALLS CANAL COMPANY
Represented by:
PAUL L ARRINGTON
195 RIVER VISTA PL STE 204
TWIN FALLS, ID 83301-3029
Phone: 208-733-0700

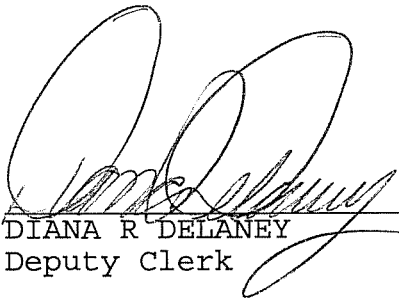
CERTIFICATE OF MAILING

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SHARON DAVIES REID
TERRY REID
PO BOX 2181
KETCHUM, ID 83340

ALPHA L WOODMAN
RT 3 BOX 313
BUHL, ID 83316

DAVID FLINT
PAUL FLINT
4788 A RIVER RD
BUHL, ID 83316



DIANA R DELANEY
Deputy Clerk