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MAR 19 2013
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
MAR 18 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 AND
	)	RECOMMENDATION; FINDINGS OF
Case No. 39576	)	FACT AND CONCLUSIONS OF LAW
	)	
	)	
	)	FOR WATER RIGHT: 22-14008

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 *Late Claims Director's Report* contained a recommendation for the elements of this water right.

Teton Rainbow Ranches, Inc. filed an *Objection*. The *Objection* was withdrawn March 11, 2013 with a *Notice of Withdrawal of Objection*. There was no opposition to the *Notice of Withdrawal of Objection*. Since there are no active *Objections*, this water right will be recommended consistent with the *Late Claims 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: March 18, 2013.



BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

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

MAR 18 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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
 Case No. 39576)
)
) Water Right 22-14008

NAME AND ADDRESS: SCHIESS BROTHERS
 C/O LYLE SCHIESS
 4964 W 6750 S
 VICTOR, ID 83455

SOURCE: PATTERSON CREEK TRIBUTARY: TETON RIVER

QUANTITY: 0.70 CFS

PRIORITY DATE: 05/15/1965

POINT OF DIVERSION: T04N R44E S36 SWSE Within Teton County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.70 CFS

PLACE OF USE: Irrigation Within Teton County
 T04N R45E S31 LOT 2 (SWNW)24.0 LOT 3 (NWSW)31.0
 55.0 Acres Total

The rights listed below are limited to the irrigation of a
 combined total of 55 acres in a single irrigation season.
 Combined Right Nos.: 22-13859, 22-13861, and 22-14008.
 This right is limited to the irrigation of 35 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

MAR 18 2013

Eric J. Wildman
 SPECIAL MASTER

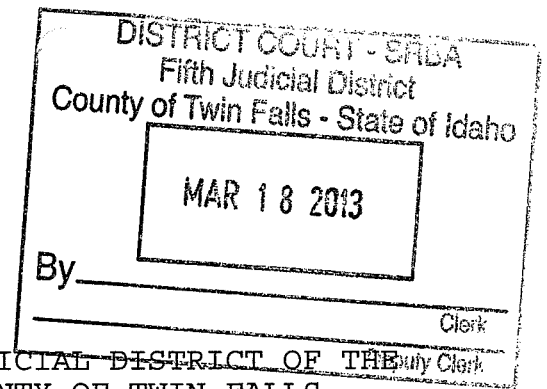
Eric J. Wildman
 Presiding Judge of the
 Snake River Basin Adjudication

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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): 22-14008

On March 18, 2013, 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 March 18, 2013.

JANET CONNELL
Deputy Clerk

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WATER RESOURCES

DISTRICT COURT - SRBA	
Fifth Judicial District	
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

CERTIFICATE OF MAILING

Water Right(s): 22-14008

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 March 18, 2013, with sufficient first-class postage prepaid to the following:

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

TETON RAINBOW RANCHES INC

Represented by:

THOMAS J BUDGE
201 E CENTER ST
PO BOX 1391
POCATELLO, ID 83204-1391
Phone: 208-232-6101

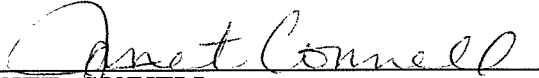
SCHIESS BROTHERS
C/O LYLE SCHIESS
4964 W 6750 S
VICTOR, ID 83455
Phone: 208-787-2468

CERTIFICATE OF MAILING

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03/18/13

SCANNED
MAR 19 2013

CC: LYNN SCHIESS
55 E 600 S #5
ST GEORGE, UT 84770
Phone: 208-317-7937


JANET CONNELL
Deputy Clerk