

DEPARTMENT OF  
WATER RESOURCES

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

JAN 31 2014

By \_\_\_\_\_ Clerk  
\_\_\_\_\_  
Deputy Clerk

|                       |   |                                 |
|-----------------------|---|---------------------------------|
| <b>In Re SRBA</b>     | ) | <b>SPECIAL MASTER’S REPORT</b>  |
|                       | ) |                                 |
| <b>Case No. 39576</b> | ) | <b>FINDINGS OF FACT AND</b>     |
|                       | ) | <b>CONCLUSIONS OF LAW</b>       |
|                       | ) |                                 |
|                       | ) | <b>FOR WATER RIGHT 63-33590</b> |

## Page 1 of 1

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 63-33590

NAME AND ADDRESS: TREE TOP RANCHES LP  
PO BOX 8126  
BOISE, ID 83707

SOURCE: BOISE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 6.78 CFS

PRIORITY DATE: 03/01/1964

POINT OF DIVERSION: T05N R05W S25 LOT 2 (SWSE ) Within Canyon County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Irrigation     | 03-01 TO 11-15 | 6.78 CFS |

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only when the natural flow in the Boise River below the Star Bridge in Township 04 North, Range 01 West, Section 18, NE1/4 of the SE1/4 of the SE1/4, Boise Meridian (approximate river mile 33.9) is sufficient for water to be available for diversion at the point of diversion described above, provided that any such use of this water right prior to April 1 and after October 31 shall not interfere with storage of water under water rights for Lake Lowell, Lucky Peak, Arrowrock or Anderson Ranch Reservoirs.

| PLACE OF USE: | Irrigation        |           | Within Canyon County |
|---------------|-------------------|-----------|----------------------|
|               | T05N R05W S22     | SWNE 36.0 | SENE 0.7             |
|               |                   | SENE 21.0 | NESW 23.0            |
|               |                   | SESE 9.3  | NESE 26.0            |
|               |                   | NWSE 34.0 | SWSE 22.0            |
|               |                   | SESE 27.0 |                      |
|               | S23               | NWSW 18.0 |                      |
|               | S27               | NENE 0.3  | NWNE 7.0             |
|               |                   | NENW 6.0  |                      |
|               | 230.3 Acres Total |           |                      |

Right Nos. 63-127D, 63-128C, 63-129C, 63-130C, 63-131C, 63-178B, 63-21530 and 63-33590 are limited to the irrigation of a combined total of 373.3 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).

RECEIVED

FEB 03 2014

DEPARTMENT OF  
WATER RESOURCES

RECOMMENDATION

JAN 31 2014

*Lee E. Booth*  
SPECIAL MASTER