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MAR 20 2014
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho
MAR 19 2014
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

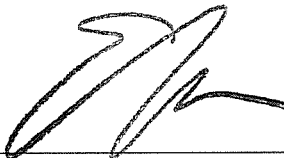
)
) ORDER OF PARTIAL DECREE
)
) Subcase No. 63-33590
)
)

On January 31, 2014, a *Special Master's Report and Recommendation* was filed for the above-captioned water right. On February 28, 2014, a *Motion to Alter or Amend the Special Master Report and Recommendation* was filed. The Special Master issued his *Order Granting Motion to Alter or Amend* on March 3, 2014. No Challenges were filed to the *Special Master's Order Granting Motion to Alter or Amend* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report and Recommendation* and *Order Granting Motion to Alter or Amend* and wholly adopts them as its own.

Therefore, IT IS ORDERED that the above-captioned water right be **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated March 19, 2014

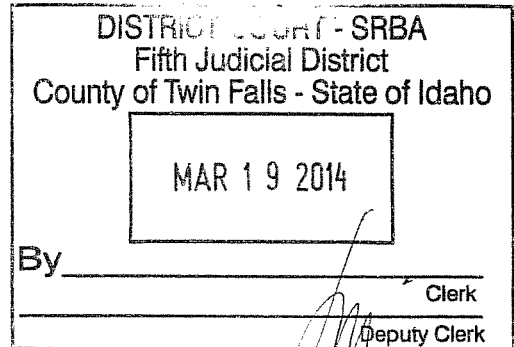


ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

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)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
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 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.

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DEPARTMENT OF
WATER RESOURCES

PLACE OF USE:	Irrigation		Within Canyon County
	T05N R05W S22	SWNE 36.0	SENE 0.7
		SENE 21.0	NESW 23.0
		SESW 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. 63-127C, 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).

2014 MAR 19 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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	)	CERTIFICATE OF MAILING
	)	
Case No. 39576	)	
_____	)	Water Right(s): 63-33590

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 63-33590 was mailed
on March 19, 2014, with sufficient first-class postage prepaid
to the following:

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

TREE TOP RANCHES LP
Represented by:
ANDREW J WALDERA
101 S CAPITOL BLVD 10TH FL
PO BOX 829
BOISE, ID 83701-0829
Phone: 208-345-2000

GREG OBENDORF
THE TINA IEST FAMILY LLLP
THEDRAKE LLC
Represented by:
DANA L HOFSTETTER
608 W FRANKLIN ST
BOISE, ID 83702-5509
Phone: 208-424-7800