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APR 30 2014

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
APR 29 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

) SPECIAL MASTER'S REPORT AND
) RECOMMENDATION; FINDINGS OF
) FACT AND CONCLUSIONS OF LAW

)
) WATER RIGHTS: 21-13173 and 21-
) 13174
)

I. FINDINGS OF FACT

A notice of claim was filed for each of these water rights 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 *Director's Report for Late Claims* contained a recommendation for the elements of these water rights.

An *Objection* was filed for each water right by Squirrel Creek Irrigation and Canal Company on February 10, 2014. A hearing was held on April 9, 2014.

The *Objections* were resolved on April 24, 2014 with the filing of *Standard Forms 5*. All parties to the subcase and IDWR are signatories to the *Standard Forms 5*.

II. CONCLUSIONS OF LAW

Therefore, based on the file and record herein, IT IS RECOMMENDED that these water rights be **decreed** with the elements set forth in the attached *Special Master's Recommendation for Partial Decrees*.

DATED: April 29, 2014.


BRIGETTE BILYEU, Special Master
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
APR 29 2014	
By _____	Clerk
Deputy Clerk	

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 21-13173

NAME AND ADDRESS: SQUIRREL CREEK IRRIGATION &
CANAL CO LTD
PO BOX 611
ASHTON, ID 83420

SOURCE: INDIAN LAKE TRIBUTARY: SQUIRREL CREEK

Point of injection into Squirrel Creek. Point of redirection
from Conant Creek.

QUANTITY: 904.00 AFY

Rediversion of water from Conant Creek under this right shall
not exceed the measured flow of water from Squirrel Creek into
Conant Creek, less the amount of water for conveyance losses as
determined by the watermaster.

PRIORITY DATE: 11/10/1949

POINT OF DIVERSION: T08N R43E S15 SWSE (Rediversion) Within Fremont County
R46E S05 LOT 6 (SWSE)

The point of diversion at Indian Lake is in Wyoming, T47N,
R118W, S05, NESE, Sixth Principal Meridian. The point of
injection into Squirrel Creek is in Wyoming, T47N, R118W, S08,
NESE, Sixth Principal Meridian. The point of diversion shown
above is where Squirrel Creek enters Idaho.

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation Storage	01-01 TO 12-31	904.00 AFY
	Irrigation from Storage	04-01 TO 10-31	904.00 AFY

PLACE OF USE:	Irrigation from Storage	Within Fremont County
	T08N R43E S10	NENE 40.0 SWNE 40.0
		SENE 40.0 SENW 40.0
		NESW 40.0 NWSW 40.0
		SWSW 40.0 SESW 40.0
		NESE 40.0 NWSE 40.0
		SWSE 40.0 SESE 40.0
	S15	NENE 40.0 NWNE 40.0
		SWNE 40.0 SENE 40.0
		NENW 40.0 NWNW 40.0
		SWNW 40.0 SENW 40.0
	800.0 Acres Total	

Right Nos. 21-109C, 21-13173 and 21-13174 are limited to the
irrigation of a combined total of 1175 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).

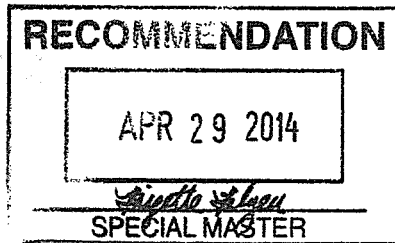
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DEPARTMENT OF
WATER RESOURCES

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

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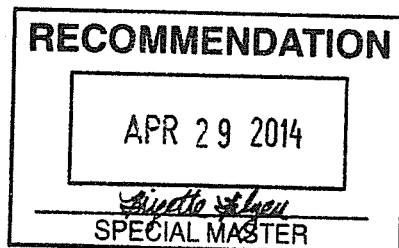
By _____ Clerk

Deputy Clerk

PAGE 1
Apr-28-2014

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.



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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

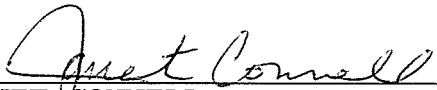
Water Right(s): 21-13173
21-13174

On April 29, 2014, 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 April 29, 2014.



JANET CONNELL
Deputy Clerk

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APR 29 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)

CERTIFICATE OF MAILING

Case No. 39576)

Water Right(s): 21-13173

21-13174

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 April 29, 2014, with sufficient first-class postage prepaid to the following:

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

SQUIRREL CREEK IRRIGATION &

Represented by:

JERRY R RIGBY

25 N 2ND E

PO BOX 250

REXBURG, ID 83440-0250

Phone: 208-356-3633

CERTIFICATE OF MAILING

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04/29/14

SQUIRREL CREEK IRRIGATION &
Represented by:
ROBERT H WOOD
RIGBY ANDRUS RIGBY CHARTERED
25 NORTH 2ND EAST
PO BOX 250
REXBURG, ID 83340
Phone: 208-356-3633



JANET CONNELL
Deputy Clerk