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APR 22 2015

DEPARTMENT OF  
WATER RESOURCES

|                                       |              |
|---------------------------------------|--------------|
| DISTRICT COURT - IDAHO                |              |
| Fifth Judicial District               |              |
| County of Twin Falls - State of Idaho |              |
| APR 21 2015                           |              |
| 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  
)  
) FINDINGS OF FACT AND  
) CONCLUSIONS OF LAW  
)  
) FOR WATER RIGHT 63-33991

I. FINDINGS OF FACT

A notice of claim was filed for the above-captioned water right pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources (IDWR) examined the claim and issued a *Directors Report of Deferred De Minimis Domestic and Stock Water Use* (November 25, 2014).

On January 20, 2015, M3 Eagle LLC, through its attorney Michael P. Lawrence, filed an objection to the *Director's Report*. On April 20, 2015, the parties filed a *Standard Form 5 – Stipulated Elements of a Water Right* which resolved the objection. The Idaho Department of Water Resources concurred with the stipulation.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein and pursuant to the *Standard Form 5*, IT IS RECOMMENDED that water right 63-33991 be **decreed** with the elements as set forth in the attached *Recommendation for Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated April 21, 2015



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 )  
Case No. 39576 )  
PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 63-33991

NAME AND ADDRESS: JANIS WROTEN-GRAHAM  
8603 W HIGH RIDGE LN  
EAGLE, ID 83616

SOURCE: GROUND WATER

QUANTITY: 0.04 CFS

The quantity of water under this right shall not exceed 13,000  
gallons per day.

PRIORITY DATE: 08/21/2001

POINT OF DIVERSION: T05N R01W S28 SWSE Within Ada County

PURPOSE AND

| PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|----------------|----------------|----------------|----------|
|                | Domestic       | 01-01 TO 12-31 | 0.04 CFS |
|                | Stockwater     | 01-01 TO 12-31 | 0.04 CFS |

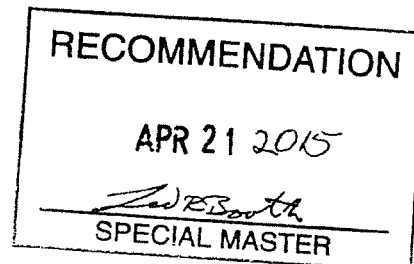
Domestic use is for 1 home.

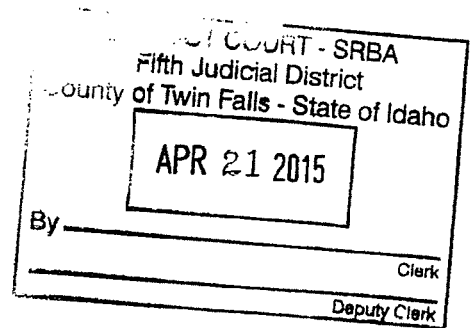
|               |               |      |                   |
|---------------|---------------|------|-------------------|
| PLACE OF USE: | Stockwater    |      | Within Ada County |
|               | T05N R01W S28 | SWSE |                   |
|               | Domestic      |      | Within Ada County |
|               | T05N R01W S28 | SWSE |                   |

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right is not a  
determination of historical beneficial use.  
To the extent necessary for administration between points of  
diversion for ground water, and between points of diversion for  
ground water and hydraulically connected surface sources, the  
source for this water right is ground water no deeper than 415  
feet below ground surface, and ground water was first diverted  
under this right at a depth no greater than 415 feet below  
ground surface from the well identified in IDWR's records by  
Well Tag No. D0018937, located in SWSE of Section 28, T05N,  
R01W, B.M.

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).





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 )  
\_\_\_\_\_ )

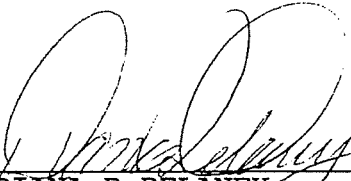
NOTICE OF ISSUANCE OF  
SPECIAL MASTER'S  
RECOMMENDATION  
  
Water Right(s) : 63-33991

On April 21, 2015, 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 April 21, 2015.

  
\_\_\_\_\_  
DIANA R DELANEY  
Deputy Clerk

|                                       |       |
|---------------------------------------|-------|
| DISTRICT COURT - SRBA                 |       |
| Fifth Judicial District               |       |
| County of Twin Falls - State of Idaho |       |
| APR 21 2015                           |       |
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STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA )  
 )  
Case No. 39576 )  
\_\_\_\_\_ )

CERTIFICATE OF MAILING

Water Right(s): 63-33991

CERTIFICATE OF MAILING

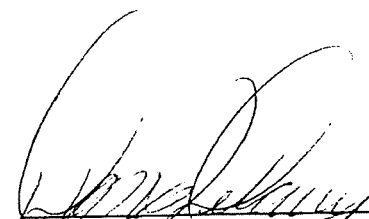
I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on April 21, 2015, with sufficient first-class postage prepaid to the following:

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

JANIS WROTEN-GRAHAM  
Represented by:  
CHRIS M BROMLEY  
380 S 4TH STREET STE 103  
BOISE, ID 83702  
Phone: 208-287-0991

M3 EAGLE LLC  
Represented by:  
MICHAEL P LAWRENCE  
601 W BANNOCK ST  
PO BOX 2720  
BOISE, ID 83701-2720  
Phone: 208-388-1200

CERTIFICATE OF MAILING

  
DIANA R DELANEY  
Deputy Clerk

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04/21/15