

2003 JUN 30 PM 3: 39

DISTRICT COURT OF 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

Case No. 39576

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

) WATER RIGHT NOS.: EXHIBIT A
) (Basin 37 (71) B37Sem anko File #183)

I. FINDINGS OF FACT

Claims were filed for 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* contained recommendations for the elements of these water rights.

Objections were filed by the State of Idaho and Pickett Ranch & Sheep Co., Joe Tugaw, Jared Bedke, Bruce Bedke, Joyce Livestock Company, Jerry Hoagland, Scott Bedke, Karl Bedke, Michael Poulton, Gary Poulton and Western Stockgrowers Association. A *Response* was filed by Flying Triangle, Inc.

A *Notice of Withdrawal of Objections* was filed by Bruce Bedke, Jared Bedke, Joyce Livestock and Jerry Hoagland on August 29, 2002. The State of Idaho filed a *Stipulation to Resolve Objections* on March 11, 2003. The remaining *Objections* and *Responses* were resolved on April 21, 2003 with the filing of a *Notice of Withdrawal of Objections and Responses and Notice of Clarification*. Finally, the United States filed a *Notice Regarding Priority Date* agreeing to a later priority than in the *Director's Report*. The priority date agreed to for these water rights is June 28, 1934. There are no objections or responses remaining in these subcases.

II. CONCLUSIONS OF LAW

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 Recommendations for Partial Decrees*.

DATED: June 30, 2003


BRIGETTE BILYEU, Special Master
Snake River Basin Adjudication

EXHIBIT A

(37SEMANKO FILE# 183)

Subcase Nos:

37-14397
37-14398
37-14430
37-14431
37-14432
37-14433
37-14434
37-14435
37-14437
37-14454
37-15169
37-15186
37-16894
37-17622
37-17676
37-17679
37-17680
37-17681
37-17704
37-17979
37-17984
37-18006
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37-18047
37-18049
37-18051

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Water Right(s): 37-14397
(SEE ATTACHED EXHIBIT A)

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Exhibit A

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CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s): 37-14397
(SEE ATTACHED EXHIBIT A)

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 June 30, 2003, with sufficient first-class postage prepaid to the following:

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

USDI BLM

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724


JANET CONNELL
Deputy Clerk

CERTIFICATE OF MAILING

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Exhibit A

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