

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     | ) | SPECIAL MASTER'S REPORT AND           |
|                | ) | RECOMMENDATION; FINDINGS OF           |
| Case No. 39576 | ) | 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  
37-18008  
37-18009  
37-18020  
37-18022  
37-18024  
37-18025  
37-18026  
37-18047  
37-18049  
37-18051

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In Re SRBA )  
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\_\_\_\_\_ )

NOTICE OF ISSUANCE OF  
SPECIAL MASTER'S  
RECOMMENDATION

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

On June 30, 2003, 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 June 30, 2003.

  
JANET CONNELL  
Deputy Clerk

Exhibit A

Subcase Nos:

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Case No. 39576 )  
\_\_\_\_\_ )

CERTIFICATE OF MAILING

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

PAGE 1  
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Exhibit A

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PAGE 1  
• Jun-24-2003