

2003 JUN 30 AM 9: 50

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

)

) Subcase 43-04132

Case No. 39576

) (Lloyd)

)

) SPECIAL MASTER REPORT

Findings of Fact

Bonita and Arlo Lloyd, HC 61, Box 1508, Elba, Idaho, 83326, filed a *Notice of Claim to a Water Right* on June 2, 1989, claiming 1.6 cfs from Black Sand Hollow for year-'round stockwater use and for irrigation of 120 acres in Cassia County from April 1 to November 1 with a priority date of April 1, 1909, based on beneficial use. The Director of the Idaho Department of Water Resources filed his *Director's Reports for Irrigation and Other, Reporting Area 7, IDWR Basin 43* on September 28, 2001. The Director recommended the claim as filed, but for .54 cfs to irrigate 11.4 acres from April 1 to October 31 with a priority date of October 19, 1928.

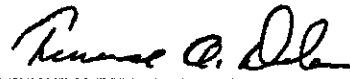
The United States of America, Department of Interior, Bureau of Land Management filed an *Objection* on February 8, 2002, objecting to place of use. On October 25, 2002, the Lloyds were granted leave to file a late objection to quantity, priority date and place of use.

On April 4, 2003, the United States was dismissed as a party based on a *Stipulation to Resolve Objection and Motion to Dismiss the United States as a Party* filed by the Lloyds and the United States on March 4, 2003. On June 25, 2003, the Lloyds filed a *Standard Form 5*, with IDWR's concurrence, agreeing to .77 cfs to irrigate 13.2 acres.

Conclusions of Law

The Lloyds are entitled to a partial decree adjudicating a water right as described in the *SF-5* and the attached *Special Master Recommendation for Partial Decree for Water Right 43-04132*.

DATED June 30, 2003.

A handwritten signature in black ink, appearing to read "Terrence A. Dolan".

TERRENCE A. DOLAN
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

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In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 43-04132

NAME AND ADDRESS: ARLO P LLOYD
BONITA T LLOYD
HC 61 BOX 1508
ELBA, ID 83326

SOURCE: BLACK SAND HOLLOW CREEK TRIBUTARY: SINKS

QUANTITY: 0.77 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 10/19/1928

POINT OF DIVERSION: T14S R25E S16 SESESW Within Cassia County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.03 CFS
	Irrigation	04-01 TO 10-31	0.77 CFS

PLACE OF USE:	Irrigation	Within Cassia County
	T14S R25E S17	SWNE 1.8 NWSE 7.7
		NESE 3.3 SWSE 0.4
	13.2 Acres Total	

Stockwater	Within Cassia County
T14S R25E S17	SWNE NWSE
	NESE SWSE

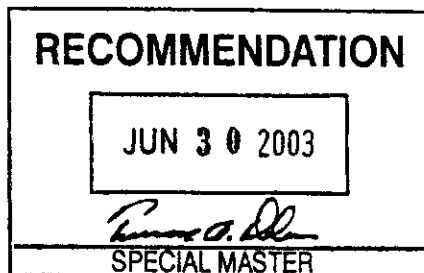
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

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).

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.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

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In Re SRBA)

CERTIFICATE OF MAILING

Case No. 39576)

Water Right(s) : 43-04132

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

ARLO P LLOYD
ARLO P. LLOYD
Represented by:
ROGER D LING
PO BOX 396
RUPERT, ID 83350
Phone: 208-436-4717

BONITA T LLOYD
HC 61 BOX 1508
ELBA, ID 83326
Phone: 208-638-5550

CERTIFICATE OF MAILING

Robbin Hall
ROBBIN HALL
Deputy Clerk

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06/30/03

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In Re SRBA)
)
Case No. 39576)
)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

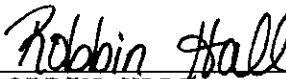
Water Right(s): 43-04132

On June 30, 2003, Special Master TERRENCE A. DOLAN
issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s)
pursuant to SRBA Administrative Order 1 (A01), 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.



ROBBIN HALL
Deputy Clerk