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Department of Water Resources

2003 JUL -3 PM 4: 07

REGISTERED - 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 51-02214

Case No. 39576

) (Kohring)

)

) SPECIAL MASTER REPORT

Findings of Fact

Kohring Farms filed a *Notice of Claim to a Water Right* on January 17, 1989, claiming 4.04 cfs from groundwater to irrigate 312 acres in Owyhee County from March 15 to November 15 with a priority date of April 11, 1966, based on a license. The Director of the Idaho Department of Water Resources filed his *Director's Report, Irrigation and Other Uses, Reporting Area 6 (IDWR Basin 51)* on November 24, 1998. The Director recommended the claim as filed.

Susan G. Robertson filed an *Objection* on January 15, 1999, objecting to point of diversion and place of use. On July 24, 2000, Kent G. Kohring was granted leave to intervene in subcases 51-02214, 51-04000A and 51-10207. Later, on January 15, 2003, Mr. Kohring filed an *Objection* in 51-02214 objecting to quantity.

IDWR filed a *Notice of Completed Administrative Proceeding* on November 18, 2002, in subcases 51-02214, 51-04000A and 51-10207 for a substitution of party from Tri-Vial, Inc., to Kohring or Robertson and for the re-numbering of 51-04000A (to 51-12976 and 51-12977) and 51-10207 (to 51-12978 and 51-12979). On April 28, 2003, IDWR filed a *Supplemental Director's Report Regarding Subcase Nos. 51-2214, 51-4000A (split into 51-12976 & 51-12977), and 51-10207 (split into 51-12978 & 51-12979)*.

On June 25, 2003, Tri-Vial, Inc., and Kent and Virginia Kohring, with IDWR's concurrence, filed a *Standard Form 5* agreeing that 51-02214 would be decreed to Kent and Virginia Kohring, HC 85, Box 140, Bruneau, Idaho, 83604.

Conclusions of Law

Kent and Virginia Kohring 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 51-02214*.

DATED July 3, 2003.



TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

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DISTRICT COURT - MT-SRBA
TWIN FALLS CO., IDAHO
FILED

PURPOSE AND			
PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	4.04 CFS
			1560.00 AFY

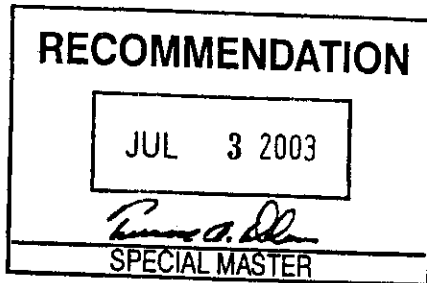
PLACE OF USE:	Irrigation		Within Owyhee County
	T06S R04E S24	SESE 38.0	
	S25	NENE 38.0	NWNE 36.0
		NENW 38.0	NWNW 39.0
		SWNW 40.0	SENW 40.0
		NESW 40.0	
	R05E S30	NENW 40.0	LOT 1 (NWNW) 40.0
	LOT 2	(SWNW) 40.0	SENW 42.0
	471.0 Acres Total		

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

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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): 51-02214

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 July 03, 2003, with sufficient first-class postage prepaid to the following:

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

KENT KOHRING
Represented by:
JIM JONES
1275 SHORELINE LN
BOISE, ID 83702
Phone: 208-385-9200

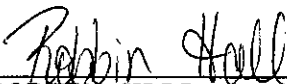
TRI VIAL INC
Represented by:
SUSAN WILDWOOD
PO BOX 6502
BOISE, ID 83707
Phone: 208-383-0390

CERTIFICATE OF MAILING

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VIRGINIA KOHRING
HC 85 BOX 140
BRUNEAU, ID 83604

KENT KOHRING
HC 85, BOX 140
BRUNEAU, ID 83604



ROBBIN HALL
Deputy Clerk

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In Re SRBA)
Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

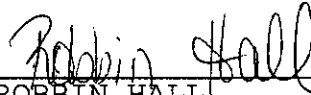
Water Right(s): 51-02214

On July 03, 2003, Special Master HON. ROGER S. BURDICK 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 July 03, 2003.



ROBBIN HALL
Deputy Clerk