

AUG 29 2003

Department of Water Resources
2013 AUG 27 AM 9: 51

DISTRICT COURT-SREAT
TWIN FALLS CO., IDAHO
FILED _____

In Re SRBA

Case No. 39576

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

**WATER RIGHT NOS.: 37-20814 and
37-20815**

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 John Lezamiz Family Limited Partnership, Ltd., on April 2, 2003. The *Objections* were resolved on July 22, 2003 with the filing of *Standard Forms 5*. All parties to the subcase and IDWR are signatories to the *Standard Forms 5*.

Therefore, 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: August 25, 2003.

BRIGETTE BILYEU

Special Master

Snake River Basin Adjudication

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2003 AUG 27 AM 9:51

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 37-20814

NAME AND ADDRESS: JOHN LEZAMIZ FAMILY LIMITED
PARTNERSHIP, LTD.
PO BOX 389
TWIN FALLS, ID 83303-0389

SOURCE: GROUND WATER

QUANTITY: 0.80 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 3.0 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 780.1 AF. COMBINED RIGHT NOS.:
37-20810, 37-20812 & 37-20816.

PRIORITY DATE: 08/07/1952

POINT OF DIVERSION: T06S R17E S31 LOT 6 (SESWSE) Within Lincoln County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.80 CFS

PLACE OF USE:	Irrigation	Within Lincoln County
	T06S R16E S36	SENE 3.0 NESE 39.0 NWSE 3.0 SWSE 0.4 SESE 7.0
	R17E S31 LOT 2	(SWNW) 36.0
	LOT 4	(NWSW) 56.0
	(SWSW) 51.0	
	195.4 Acres Total	

USE OF THIS RIGHT WITH RIGHT NOS. 37-20810 & 37-20812 IS LIMITED
TO THE IRRIGATION OF A COMBINED TOTAL OF 170.9 ACRES IN A SINGLE
IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 195.4 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 37-20810, 37-20812 &
37-20816.

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

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).

RECOMMENDATION

AUG 25 2003

Angelle J. L...
SPECIAL MASTER

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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AUG 29 2003

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

Department of Water Resources

2003 AUG 27 AM 9:52

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 37-20815

NAME AND ADDRESS: JOHN LEZAMIZ FAMILY LIMITED
PARTNERSHIP, LTD.
PO BOX 389
TWIN FALLS, ID 83303-0389

SOURCE: GROUND WATER

QUANTITY: 0.77 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 2.9 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 749.5 AF. COMBINED RIGHT NOS.:
37-20811, 37-20813 & 37-20817.

PRIORITY DATE: 08/07/1952

POINT OF DIVERSION: T06S R17E S31 LOT 6 (SESWSE) Within Lincoln County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.77 CFS

PLACE OF USE:	Irrigation	Within Lincoln County
	T06S R17E S31	NESW 40.0 LOT 5 (SESW) 40.0
		NESE 14.0 NWSE 40.0
	LOT 6 (SWSE) 40.0	LOT 7 (SESE) 13.0
	187.0 Acres Total	

USE OF THIS RIGHT WITH RIGHT NOS. 37-20811 & 37-20813 IS LIMITED
TO THE IRRIGATION OF A COMBINED TOTAL OF 164.1 ACRES IN A SINGLE
IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 187.0 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 37-20811, 37-20813 &
37-20817.

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

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).

RECOMMENDATION

AUG 25 2003

Shirley L. Lay
SPECIAL MASTER

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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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): 37-20814
37-20815

On August 27, 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 August 27, 2003.


JANET CONNELL
Deputy Clerk

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DISTRICT COURT-SPECIAL
TWIN FALLS CO., IDAHO
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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)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s): 37-20814
37-20815

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 August 27, 2003, with sufficient first-class postage prepaid to the following:

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

JOHN LEZAMIZ FAMILY LIMITED

Represented by:
THEODORE R BOOTH
301 MAIN STREET
PO BOX 32
GOODING, ID 83330
Phone: 208-934-8872



JANET CONNELL
Deputy Clerk

CERTIFICATE OF MAILING

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08/27/03