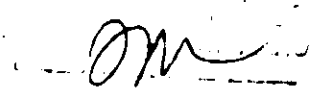


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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

Water Right(s): 35-07324

On November 28, 2001, Special Master TERRENCE A. DOLAN 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 November 28, 2001.


LETTIE MESSICK
Deputy Clerk

NOTICE OF ISSUANCE

PAGE 1
11/28/01

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 35-0054
 J. M.

**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 35-0054, et al
	)	(1,720 claims objected to by the Canal
Case No. 39576	)	Companies only- see Exhibit A attached)
	)	
	)	SPECIAL MASTER REPORT
	)	
	)	

Findings of Fact

IDWR filed multiple *Director's Reports* for 2,382 groundwater claims for "irrigation and other" uses in Basin 35 between June 19, 1998, and January 29, 1999. The Twin Falls and North Side Canal Companies ("Canal Companies") filed timely *Objections* to only the groundwater irrigation claims objecting to source, quantity, other provisions necessary for definition or administration of the rights and alleging the rights should not exist. The Canal Company *Objections* were then consolidated under lead subcase 35-07200.

On August 27, 2001, *Motions for Partial Summary Judgment* filed by the State of Idaho and various groundwater users / claimants and groundwater districts were granted dismissing the Canal Companies' *Objections*. There are no other objections to these claims and there are no other matters pending.¹

Conclusions of Law

Those claiming the above water rights are entitled to partial decrees adjudicating their water rights as recommended by IDWR and as described in the attached *Special Master Recommendations for Partial Decrees*.

¹ This *Special Master Report* includes only those claims objected to solely by the Canal Companies. Claims which involve Canal Company *Objections* and non-Canal Company *Objections* will be reported separately and individually at a later date because of their unique facts.

DATED November 6, 2001.



TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

EXHIBIT A

Subcase Nos:

35-00054	35-02097J	35-02152	35-02184A	35-02232F	35-02277
35-02001	35-02099D	35-02153B	35-02184B	35-02233	35-02279
35-02048	35-02099E	35-02153C	35-02185	35-02234	35-02280
35-02054A	35-02099F	35-02153D	35-02186	35-02235A	35-02281
35-02065	35-02101A	35-02155A	35-02189B	35-02235B	35-02283
35-02066	35-02101B	35-02155B	35-02190A	35-02237	35-02284
35-02067	35-02101C	35-02156	35-02190B	35-02238	35-02285A
35-02068	35-02102A	35-02157	35-02191	35-02239	35-02285B
35-02069F	35-02103	35-02158A	35-02194	35-02240A	35-02287
35-02069G	35-02104A	35-02159	35-02197	35-02240B	35-02288
35-02069H	35-02104B	35-02160A	35-02199	35-02241A	35-02289
35-02069J	35-02106	35-02160B	35-02200	35-02241B	35-02290
35-02070	35-02107	35-02160D	35-02201	35-02242	35-02291
35-02071	35-02108	35-02161	35-02202A	35-02243	35-02292B
35-02075A	35-02109	35-02163	35-02202B	35-02244	35-02292C
35-02075B	35-02109A	35-02164A	35-02203	35-02245	35-02292D
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35-02080	35-02119	35-02167G	35-02208	35-02250	35-02301
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35-02082	35-02121	35-02169	35-02210	35-02252A	35-02307
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35-02083B	35-02124	35-02171C	35-02213B	35-02253A	35-02311A
35-02084	35-02125E	35-02171D	35-02214A	35-02253B	35-02311C
35-02086	35-02125F	35-02173	35-02214C	35-02255	35-02311D
35-02087A	35-02125H	35-02174A	35-02214D	35-02260	35-02311E
35-02087B	35-02125J	35-02174C	35-02215	35-02261	35-02311F
35-02088	35-02126	35-02175	35-02216	35-02262	35-02312B
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35-02096B	35-02148	35-02183B	35-02231	35-02274	35-02329
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35-02097G	35-02151A	35-02183D	35-02232D	35-02275B	35-02331
35-02097H	35-02151C	35-02183E	35-02232E	35-02276A	35-02332

(Subcase list: 35MRR)
11/06/01

EXHIBIT A

Subcase Nos:

35-02333	35-02402	35-02448A	35-02502	35-02556	35-02618
35-02334	35-02403	35-02448B	35-02503A	35-02558	35-02619
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35-02338	35-02407	35-02451A	35-02506	35-02562	35-02622
35-02340	35-02408A	35-02451B	35-02507	35-02563	35-02623
35-02341	35-02408B	35-02451C	35-02508	35-02564	35-02625
35-02342A	35-02409	35-02451D	35-02509	35-02565	35-02627
35-02342B	35-02410	35-02452	35-02510	35-02566	35-02628
35-02344	35-02411	35-02453	35-02512	35-02567C	35-02629
35-02346A	35-02412	35-02456	35-02515A	35-02567D	35-02630A
35-02346B	35-02416	35-02457	35-02515B	35-02569	35-02630B
35-02348	35-02417	35-02458	35-02516	35-02570	35-02631
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35-02392	35-02441	35-02489	35-02551	35-02606	35-02661D
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35-02401	35-02447B	35-02499	35-02555C	35-02615	35-02668

(Subcase list: 35MRR)
11/06/01

EXHIBIT A

Subcase Nos:

35-02669A	35-02723	35-02777	35-02846	35-02904B	35-04059
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35-02692	35-02745	35-02817	35-02876	35-04011A	35-04156
35-02693A	35-02746	35-02820	35-02877	35-04011B	35-04157
35-02693B	35-02747	35-02822A	35-02878A	35-04012	35-04196
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35-02698	35-02753	35-02826	35-02880	35-04016	35-04211
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35-02703	35-02756	35-02829	35-02884	35-04019	35-04234
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35-02716	35-02770	35-02837B	35-02898A	35-04040B	35-07000B
35-02717	35-02771	35-02838	35-02898B	35-04046	35-07000C
35-02718	35-02772	35-02839	35-02899	35-04050	35-07000D
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(Subcase list: 35MRR)
11/06/01

EXHIBIT A

Subcase Nos:

35-07005	35-07070	35-07131B	35-07195	35-07254	35-07323
35-07009	35-07071	35-07132	35-07196	35-07255	35-07324
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35-07018A	35-07078	35-07143	35-07206B	35-07269	35-07334
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35-07068	35-07131A	35-07194	35-07253	35-07322	35-07390

(Subcase list: 35MRR
11/06/01)

EXHIBIT A

Subcase Nos:

35-07391B	35-07465	35-07548	35-07629B	35-07726	35-07817
35-07391C	35-07467	35-07550	35-07630	35-07727	35-07818
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35-07396A	35-07470	35-07552	35-07632A	35-07733	35-07819B
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35-07398B	35-07473	35-07559	35-07638	35-07740	35-07830
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35-07401	35-07476A	35-07566	35-07644B	35-07746	35-07843
35-07402	35-07476B	35-07567	35-07646	35-07750	35-07845
35-07405	35-07477A	35-07568	35-07648	35-07751A	35-07847
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35-07419	35-07493	35-07584	35-07670A	35-07770	35-07867
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35-07421	35-07496	35-07586	35-07672B	35-07772	35-07872
35-07423	35-07497	35-07587	35-07673	35-07773	35-07875
35-07427	35-07500	35-07588	35-07676	35-07774	35-07878
35-07428	35-07502	35-07589	35-07677	35-07776	35-07879
35-07429	35-07503	35-07591	35-07678	35-07777	35-07881
35-07431	35-07504	35-07595A	35-07682	35-07778	35-07884
35-07432	35-07509A	35-07595B	35-07684	35-07779	35-07887
35-07434	35-07509B	35-07596	35-07685	35-07781	35-07888A
35-07436	35-07511	35-07597A	35-07686A	35-07782	35-07888B
35-07438	35-07512	35-07598	35-07686B	35-07783	35-07888C
35-07440	35-07513	35-07600	35-07691	35-07785	35-07891
35-07441	35-07516	35-07602A	35-07692	35-07786	35-07893
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35-07449A	35-07526A	35-07608	35-07702B	35-07792	35-07905
35-07449B	35-07526B	35-07609	35-07705	35-07793	35-07906
35-07452	35-07528	35-07610	35-07706A	35-07794	35-07910
35-07454	35-07529	35-07611A	35-07706B	35-07795	35-07914
35-07455	35-07531	35-07611B	35-07707	35-07796	35-07917
35-07457	35-07532	35-07612	35-07709	35-07798	35-07918
35-07458B	35-07536	35-07615	35-07710	35-07800	35-07921
35-07458C	35-07537	35-07619A	35-07715	35-07801	35-07922
35-07460	35-07538	35-07619B	35-07716	35-07806	35-07923
35-07462	35-07539	35-07623	35-07717	35-07807	35-07924
35-07463	35-07540	35-07625	35-07718	35-07810	35-07925
35-07464A	35-07541	35-07626	35-07719	35-07811	35-07926
35-07464B	35-07546	35-07628	35-07724	35-07816	35-07927

(Subcase list: 35MRR
11/06/01)

EXHIBIT A

Subcase Nos:

35-07928	35-08011B	35-10460	35-12350	35-13231
35-07929	35-08014	35-10476	35-12371	35-13238
35-07933	35-08017A	35-10478	35-12372	35-13242
35-07934	35-08017B	35-10522	35-12656A	35-13244
35-07935	35-08022	35-10557	35-12656B	35-13247
35-07937	35-08023	35-10593	35-12657	35-13248
35-07939	35-08025	35-10629	35-12672	35-13249
35-07941	35-08026	35-10739	35-12685	35-13251
35-07942	35-08027	35-10755	35-12697	35-13254
35-07947	35-08028	35-10758	35-12698	35-13257
35-07949	35-08031	35-10799	35-12704	35-13258
35-07950	35-08032	35-10813	35-12726	35-13260
35-07954E	35-08035	35-10874	35-12761	35-13261
35-07954F	35-08037A	35-10891	35-12772	35-13262
35-07958	35-08048	35-10930	35-12790	35-13263
35-07959A	35-08058	35-10948	35-12904	35-13265
35-07959B	35-08059	35-11005	35-12912	35-13267
35-07960A	35-08087	35-11011	35-12920	35-13268
35-07960B	35-08090	35-11017	35-12922	35-13269
35-07960C	35-08091	35-11038	35-12923	
35-07961A	35-08092	35-11077	35-12924	
35-07961B	35-08101A	35-11102	35-12927	
35-07964	35-08144	35-11106A	35-12931	
35-07965A	35-08163	35-11106B	35-12932	
35-07965B	35-08165	35-11200	35-12933	
35-07966	35-08186	35-11213	35-13009	
35-07967	35-08187	35-11357	35-13030	
35-07968A	35-08188A	35-11411	35-13042	
35-07968B	35-08188B	35-11454	35-13043	
35-07969	35-08207	35-11554	35-13044	
35-07970	35-08363	35-11582	35-13045	
35-07971	35-08369	35-11643	35-13046	
35-07973	35-08580	35-11654	35-13053	
35-07974	35-08612	35-11661	35-13054	
35-07975	35-08613	35-11696	35-13059	
35-07980	35-08633	35-11702	35-13067	
35-07981	35-08720	35-11853	35-13070	
35-07982	35-08847	35-11918	35-13071	
35-07983	35-08885	35-12139	35-13074	
35-07984	35-08961	35-12158	35-13075	
35-07989	35-09069	35-12180	35-13076	
35-07990	35-10093	35-12189	35-13086	
35-07992	35-10248	35-12202	35-13112	
35-08001A	35-10315	35-12219	35-13118	
35-08001B	35-10316	35-12226	35-13134	
35-08004	35-10322	35-12228	35-13202	
35-08005	35-10422	35-12247	35-13225	
35-08006	35-10426	35-12264	35-13228	
35-08008	35-10427	35-12292	35-13229	
35-08011A	35-10442	35-12344	35-13230	

(Subcase list: 35MRR)
11/06/01

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 35-07324

NAME AND ADDRESS: RALPH D ISOM
5584 W 33RD N
IDAHO FALLS, ID 83402

SOURCE GROUNDWATER

QUANTITY: 6.46 CFS
1920.00 AFYUSE OF THIS RIGHT WITH RIGHT NO. 35-07536 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 14.46 CFSUSE OF THIS RIGHT WITH RIGHTS LISTED ABOVE IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 3392 AF.

PRIORITY DATE: 08/31/1973

POINT OF DIVERSION: T04N R36E S05 LOT 02 (NWNWNE) Within Jefferson County
T05N R36E S32 NWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	6.46 CFS 1920.00 AFY

PLACE OF USE:	Irrigation	Within Jefferson County
T04N R36E S05 LOT 01 (NENE) 44.0	LOT 02 (NWNWNE) 46.0	
SWNE 40.0	SENE 39.0	
LOT 03 (NENW) 47.0	SENE 40.0	
NESE 40.0	NESE 39.0	
NWSE 40.0		
T05N R36E S32	NENE 38.0	NWNE 39.0
	SWNE 40.0	SENE 39.0
	NENW 39.0	SENE 40.0
	NESE 40.0	SESE 40.0
	NESE 39.0	NWSE 40.0
	SWSE 39.0	SESE 35.0
842.0 Acres Total		

USE OF THIS RIGHT WITH RIGHT NO. 35-07536 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 842 ACRES IN A SINGLE
IRRIGATION SEASON.THIS RIGHT IS LIMITED TO THE IRRIGATION OF 460 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON

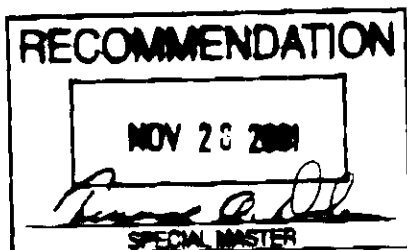
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT.

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 42-141216.

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

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

SRBA PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b),
Water Right 35-07324

FREMONT-MADISON IRR DIST

Represented by:
JERRY R. RIGBY
PO BOX 250
REXBURG, ID 83440-0250
Phone: 208-356-3633

STATE OF IDAHO

Represented by:
NATURAL RESOURCES DIV CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
PO BOX 44449
BOISE, ID 83711-4449



LETTIE MESSICK
Deputy Clerk

CERTIFICATE OF MAILING

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2001 NOV 28 11 26



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

CERTIFICATE OF MAILING

Water Right(s): 35-07324

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 November 28, 2001, with sufficient first-class postage prepaid to the following:

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

ABERDEEN-AMERICAN FALL GROUND
ABERDEEN-AMERICAN FALLS GROUND
BINGHAM GROUND WATER DIST.
BINGHAM GROUND WATER DISTRICT
RALPH D ISOM
UPPER VALLEY IRRIGATORS ASSOC.

Represented by:
JEFFREY C. FEREDAY
PO BOX 2720
BOISE, ID 83701-2720
Phone: 208-388-1200

CERTIFICATE OF MAILING

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