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Department of Water Resources

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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

SPECIAL MASTER'S REPORT

FINDINGS OF FACTS AND
CONCLUSION OF LAW

FOR WATER RIGHT 51-11974

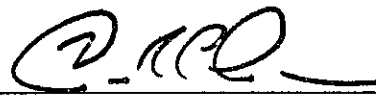
FINDINGS OF FACT

A *Special Master's Report and Recommendation* was issued on November 21, 2002, for the above listed subcase. A *Partial Decree* was issued on January 8, 2003. The United States Bureau of Land Management filed a *Motion to Set Aside Partial Decree and Refer Subcases to the Special Master* on August 13, 2003. The *Motion* states "Through oversight or omission, neither the BLM's objections, nor the State of Idaho's objections, were resolved and dismissed prior to the partial decrees being filed."

CONCLUSIONS OF LAW

After further review of the file and record herein, IT IS RECOMMENDED that the *Motion* be **granted**. IT IS FURTHER RECOMMENDED that pursuant to the *Standard Form 5* filed on October 20, 2003, an amended partial decree be issued with the elements as set forth in the attached *Amended Recommendation for Amended Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated November 21, 2003.


THOMAS R CUSHMAN
SPECIAL MASTER
SNAKE RIVER BASIN ADJUDICATION

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DISTRICT OF COLUMBIA
TYLER FALLS CO., 12440
FILED _____

DISTRIBUTION 16F-SR3A
TWIN FALLS CO., IDAHO
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DISTRICT COURT - SRBA
TWIN FALLS, IDAHO
FILED *[Signature]*

**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	)	SUBCASES: See Attached Exhibit A
	)	
Case No. 39576	)	CERTIFICATE OF MAILING
_____	)	

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT AND AMENDED RECOMMENDATIONS FOR AMENDED PARTIAL DECREES and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND AMENDED RECOMMENDATIONS were mailed November 21, 2003, with sufficient first-class postage to the following:

Director of IDWR
P O Box 83720
Boise, Idaho 83720-0098

United States of America
Department of Justice
550 West Fort Street, MSC 033
Boise, Idaho 83724

State of Idaho
Office of the Attorney General
P O Box 44449
Boise, Idaho 83711-4449

[Signature]
Deputy Clerk

EXHIBIT A

Subcase Nos:

51-11969
51-11971
51-11972
51-11974
51-11975
51-11976
51-12013
51-12079
51-12349
51-12350
51-12372
51-12374
51-12433
51-12434
51-12436
51-12442
51-12443
51-12448
51-12502

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(Subcase list: 51CUSHMAN)
11/21/03

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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: See Attached Exhibit A
	)	
Case No. 39576	)	NOTICE OF ISSUANCE
_____	)	

On November 21, 2003, special Master THOMAS R. CUSHMAN issued a **SPECIAL MASTER'S REPORT AND AMENDED 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 by the 28th day of the month following the publication of the filing of the **Special Master's Report and Amended Recommendation** in the Docket Sheet (**AO1**, Section 13a).

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the **Special Master's Report and Amended Recommendation** shall constitute a waiver of the right to challenge it before the Presiding Judge.

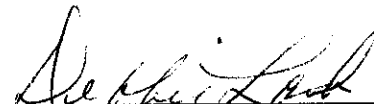

Deputy Clerk

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