

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED 

2004 APR 14 PM 3 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	)	SPECIAL MASTER'S REPORT
	)	
Case No. 39576	)	FINDINGS OF FACT AND
	)	CONCLUSIONS OF LAW
	)	
	)	FOR WATER RIGHTS: See Exhibit A
	)	(Subcase List B65ALCATT)

I. FINDINGS OF FACT

A notice of claim was filed for the above listed 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 a recommendation or abstract for the elements of these water rights.

On June 9, 2000, the United States of America, Bureau of Reclamation filed a *Motion to File Late Objections* in multiple subcases. The Motion was granted on July 28, 2000. The objections were filed to "General Provisions Basin 65 Irrigation & Other Part II (3) Separate Streams Administration." A Show Cause Hearing was set for January 27, 2004. On January 27, 2004, this Court filed correspondence dated January 26, 2004, received from the claimant's attorney stating that claimant did not oppose the addition of the General Provision separate streams language to the "other provisions necessary" element of these water rights.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein, IT IS RECOMMENDED that the water rights listed on attached Exhibit A be decreed with the elements as set forth in the attached *Recommendations for Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED April 14, 2004.


THOMAS R. CUSHMAN
Special Master
Snake River Basin Adjudication

EXHIBIT A

Subcase Nos:

65-01967
65-01970
65-01971
65-01981
65-01983
65-02043
65-03124X
65-09533
65-09534
65-09535
65-10537

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In Re SRBA
Case No. 39576

Water Right(s): 65-01967
(SEE ATTACHED EXHIBIT A)

Julie Murphy
JULIE MURPHY
Deputy Clerk

Exhibit A

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In Re SRBA)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s): 65-01967
(SEE ATTACHED EXHIBIT A)

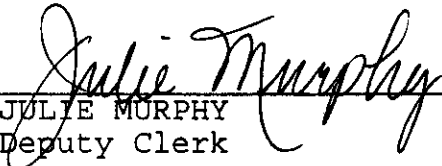
CERTIFICATE OF MAILING

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 April 14, 2004, with sufficient first-class postage prepaid to the following:

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

UNITED STATES OF AMERICA
Represented by:
DAVID W GEHLERT
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATRUAL RESOURCE
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

A L CATTLE INC
PO BOX 608
EMMETT, ID 83617
Phone: 208-365-2320


JULIE MURPHY
Deputy Clerk

CERTIFICATE OF MAILING

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Exhibit A

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