

2004 JUN 25 AM 9 15

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 RIGHT 72-16609

I. FINDINGS OF FACT

On October 29, 2001, a *Motion to File a Late Notice of Claim* was filed for this water right. An *Order Granting Motion to File Late Notice of Claim* was issued April 18, 2002. The Director of the State of Idaho Department of Water Resources examined the water system for this reporting area. The *Amended Notice of Director's Report of Late Claims and Miscellaneous Claims for Irrigation and Other Water Rights* contained a recommendation or abstract for the elements of this water right.

On April 14, 2004, Larry G Sidlo filed an objection to the above listed water right. The objection stating that a typographical error appears to have been made in the language in Explanatory Material. Subcase 65-16609 was listed and should have read 72-16609. On May 10, 2004, a *Standard Form 5* was filed. All parties and IDWR signed the *Standard Form 5*.

II. CONCLUSIONS OF LAW

Therefore, based on the file and record herein and pursuant to the *Standard Form 5*, IT IS RECOMMENDED that this water right be **decreed** with the elements as set forth in the attached *Recommendation for Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED: June 24, 2004.



THOMAS R. CUSHMAN
Special Master
Snake River Basin Adjudication

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

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RECOMMENDATION

JUN 25 2004

[Signature]

SPECIAL MASTER

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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CERTIFICATE OF MAILING

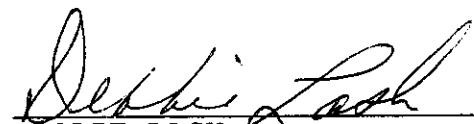
Water Right(s): 72-16609

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 June 25, 2004, with sufficient first-class postage prepaid to the following:

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

JUDY A SIDLO
LARRY G SIDLO
HC 63 BOX 1580
CHALLIS, ID 83226



DEBBIE LASH
Deputy Clerk

CERTIFICATE OF MAILING

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Water Right(s) : 72-16609

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.


DEBBIE LASH
Deputy Clerk