

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

2004 JUN 30 PM 2 06

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: 33-10720

I. FINDINGS OF FACT

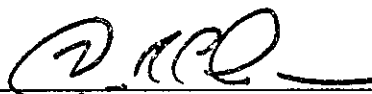
A notice of claim was filed for the above listed water right pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources examined the water system for this reporting area. The *Director's Report* contained a recommendation or abstract for the elements of this water right.

On June 8, 1998, an objection was filed to water right 33-10720 by the State of Idaho. The United States of America, Bureau of Land Management also filed an objection on June 8, 1998. On November 14, 2003, an *Affidavit of Alan R Bittner* was filed, a Trial was held on December 11, 2003. Subsequently, the United States and the State of Idaho filed a *Standard Form 5*. IDWR also signed the *Standard Form 5*.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein and pursuant to the *Standard Form's 5*, the *Affidavit* and the *Trial*, IT IS RECOMMENDED water right 33-10720 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 30, 2004.


THOMAS R. CUSHMAN
Special Master
Snake River Basin Adjudication

DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO
FILED

2004 JUN 30 PM 2 07

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

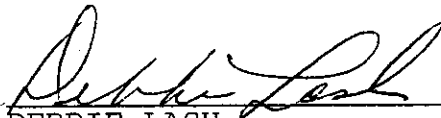
Water Right(s): 33-10496
(SEE ATTACHED EXHIBIT A)

On July 01, 2004, Special Master THOMAS R CUSHMAN
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 July 01, 2004.



DEBBIE LASH
Deputy Clerk

2004 JUN 30 PM 2 07

In Re SRBA)
)
Case No. 39576)
)

Water Right(s): 33-10496
(SEE ATTACHED EXHIBIT A)

PAGE 1
06/30/04

USDI BLM

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

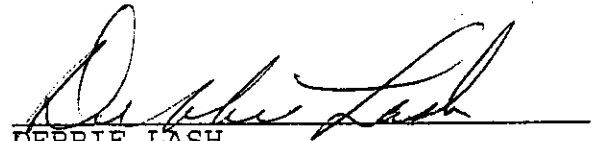

DEBBIE LASH
Deputy Clerk

Exhibit A

Subcase Nos:

33-10496
33-10525
33-10527
33-10529
33-10569
33-10611
33-10613
33-10615
33-10698
33-10718
33-10720
33-10766
33-10893
33-10914
33-10917