

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 AND
	)	RECOMMENDATION; FINDINGS OF
Case No. 39576	)	FACT AND CONCLUSIONS OF LAW
	)	
	)	FOR WATER RIGHT 31-07052H
	)	

I. FINDINGS OF FACT

A claim for this water right was filed in the Snake River Basin Adjudication by Farm Credit Bank of Spokane. The Director of the State of Idaho Department of Water Resources (IDWR) examined the water system and investigated claims for Basin 31. The *Director's Report* contained a recommendation for the elements of this water right.

An *Objection* was filed to the *Director's Report* for this claim by Blaine and Connie Larsen. Subsequently, Larsen submitted a letter dated August 13, 2001, stipulating that the *Objection* in this subcase had been filed in error. The letter was treated as a *Motion to Withdraw Objection*. The *Motion to Withdraw Objection* was unopposed. The *Motion to Withdraw Objection* was **granted**. No further *Objections* were filed in this subcase. The *Objection* period in Basin 31 has now passed.

II. CONCLUSIONS OF LAW

Since the *Motion to Withdraw Objection* was granted, no *Objections* remain in this subcase. Therefore, based on the file and record for this subcase, **IT IS RECOMMENDED** that this water right be **decreed** with the elements set forth in the attached *Special Master's Recommendation for Partial Decree*.

DATED April 16, 2002.



BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

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)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 31-07052H

2002 APR 16 PM 4:28

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED *9*

NAME AND ADDRESS: BLAINE & CONNIE LARSEN
P O BOX 188
HAMER, ID 83425

SOURCE: GROUND WATER

QUANTITY: 3.16 CFS
621.00 AFY

PRIORITY DATE: 07/29/1971

POINT OF DIVERSION: T09N R36E S32 SWSWNW Within Clark County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	3.16 CFS 621.00 AFY

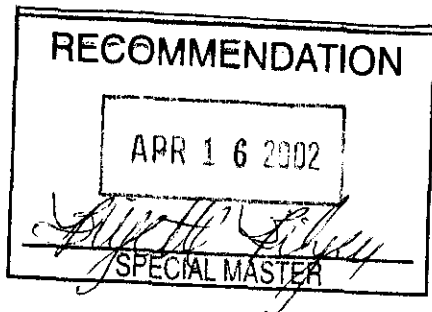
PLACE OF USE:	Irrigation		Within Clark County
	T09N R36E S31	NENE 11.0	SENE 39.0
		NESE 28.0	
	S32	NENW 2.0	NWNW 20.0
		SWNW 40.0	SENW 20.0
		NESW 10.0	NWSW 37.0
	207.0 Acres Total		

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 42-1412(6).

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

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DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED *AC*

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

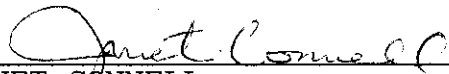
Water Right(s): 31-07052H

On April 16, 2002, Special Master BRIGETTE BILYEU
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 April 16, 2002.



JANET CONNELL
Deputy Clerk

2002 APR 16 PM 4:28

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED *JK*

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

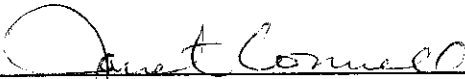
Water Right(s): 31-07052H

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 16, 2002, with sufficient first-class postage prepaid to
the following:

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

BLAINE & CONNIE LARSEN
P O BOX 188
HAMER, ID 83425



JANET CONNELL
Deputy Clerk

CERTIFICATE OF MAILING

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