

2002 APR 16 PM 3:44

DISTRICT COURT-SRBA
TWIN FALLS, IDAHO

**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 43-00280
	)	(Ward)
Case No. 39576	)	
		SPECIAL MASTER REPORT

Findings of Fact

Joyce and Roscoe Ward, PO Box 108, Almo, Idaho 83312, filed an *Amended Notice of Claim to a Water Right* on June 5, 1989, claiming 4.8 cfs from Raft River for irrigation of 360 acres from July 1 to October 1 with a priority date of April 1, 1879, based on a decree. The Director of the Idaho Department of Water Resources filed his *Director's Reports for Irrigation and Other, Reporting Area 7, IDWR Basin 43, Part I, Volume One* on September 28, 2001. The Director recommended the claim as filed, but for irrigation of 240 acres within a 390.4 acre place of use.

The Wards filed an *Objection* on January 25, 2002, objecting to quantity. However, on March 4, 2002, the Wards and IDWR filed a *Standard Form 5*.

Conclusions of Law

The Wards are entitled to a partial decree adjudicating a water right under 43-00280 as described in the *Standard Form 5* and the attached *Special Master Recommendation for Partial Decree for Water Right 43-00280*.

DATED April 16, 2002.



TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

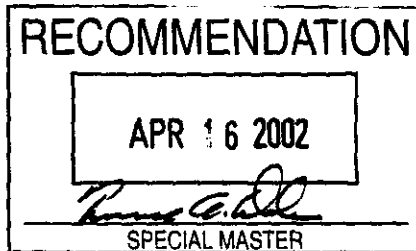
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DISTRICT COURT-SRBA
TWIN FALLS, IDAHO
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DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
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RULE 54(b) CERTIFICATE

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, IDAHO

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

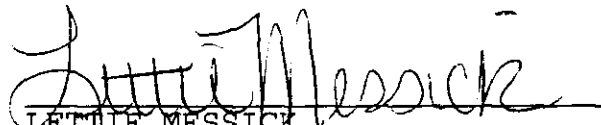
Water Right(s): 43-00280

On April 16, 2002, Special Master TERRENCE A. DOLAN 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.


LETTIE MESSICK
Deputy Clerk

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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)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s): 43-00280

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

JOYCE & ROSCOE WARD
JOYCE WARD
ROSCOE B WARD
PO BOX 108
ALMO, ID 83312
Phone: 208-824-5591

[Signature: Lettie Messick]
LETTIE MESSICK
Deputy Clerk

CERTIFICATE OF MAILING

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