

RECEIVED

AUG 14 2002

Department of Water Resources

2002 AUG 13 PM 2: 57

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

) SPECIAL MASTER'S REPORT AND
) RECOMMENDATION; FINDINGS OF
) FACT AND CONCLUSIONS OF LAW
)
)
)

) FOR WATER RIGHT 31-00181
)

I. FINDINGS OF FACT

A notice of claim was filed for this 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 for the elements of this water right.

Objections were filed by Leah P. Siepert and Keith J. Siepert Credit Sheltered Trust on September 6, 2001. The *Objections* were resolved on August 2, 2002 with the filing of a *Standard Form 5*. All parties to the subcase and IDWR are signatories to the *Standard Form 5*.

II. CONCLUSIONS OF LAW

Therefore, based on the file and record herein, 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: August 12, 2002.

Brigitte Bilyeu

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 31-00181

2002 AUG 13 PM 2:57

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

NAME AND ADDRESS: KEITH J SIEPERT CREDIT
SHELTERED TRUST
343 NORTH 2000 WEST
REXBURG, ID 83440

LEAH P SIEPERT
343 NORTH 2000 WEST
REXBURG, ID 83440

RECEIVED

AUG 14 2002

Department of Water Resources

SOURCE: WEST CAMAS CREEK TRIBUTARY: MUD LAKE

QUANTITY: 2.58 CFS

PRIORITY DATE: 05/01/1900

POINT OF DIVERSION: T12N R39E S06 SWSNW Within Clark County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 10-31	2.58 CFS

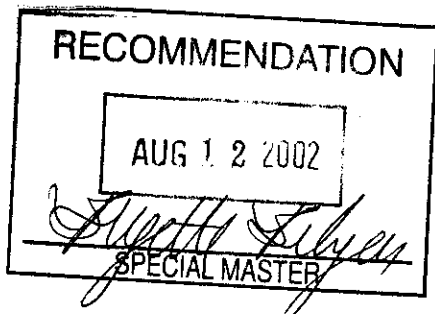
PLACE OF USE:	Irrigation	Within Clark County
	T12N R39E S06	NESW 34.0 LOT 6 (NWSW) 9.0
	LOT 7	(SWSW) 9.1 SESW 36.0
		NWSE 0.3 SWSE 6.3
	94.7 Acres Total	

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

2002 AUG 13 PM 2: 57

Department of Water Resources

DISTRICT COURT-SRBA
TWIN FALLS CO., 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): 31-00181

On August 13, 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 August 13, 2002.


JANET CONNELL
Deputy Clerk

RECEIVED

AUG 14 2002

Department of Water Resources

2002 AUG 13 PM 2: 57

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

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): 31-00181

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 August 13, 2002, with sufficient first-class postage prepaid to the following:

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

KEITH J SIEPERT CREDIT
LEAH P SIEPERT
Represented by:
JERRY R. RIGBY
PO BOX 250
REXBURG, ID 83440-0250
Phone: 208-356-3633

KEITH J SIEPERT
343 NORTH 2000 WEST
REXBURG, ID 83440
Phone: 208-356-3545

CERTIFICATE OF MAILING

Janet Connell PAGE 1
JANET CONNELL 08/13/02
Deputy Clerk