

2003 JAN 13 AM 8:38

FILED
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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 51-12935
	)	

I. FINDINGS OF FACT

A late 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 for Late and Miscellaneous Claims* contained a recommendation or abstract for the elements of this water right.

On January 22, 2001, an objection to subcase 51-12935 was filed by the claimant Bert Brackett. Subsequently, a *Standard Form 5/Amended Claim* was filed on November 1, 2002. Objections to the Amended Claim were due December 31, 2002. No objections were filed.

II. CONCLUSIONS OF LAW

Therefore, based on the file and record herein and pursuant to the *Standard Form 5*, IT IS RECOMMENDED that water right 51-12935 be decreed with the elements as set forth in the attached *Special Master Recommendation for Partial Decree Pursuant to I.R.C.P. 54(b) for Water Right 51-12935*.

DATED: January 10, 2003.


THOMAS R. CUSHMAN
Special Master
Snake River Basin Adjudication

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FILED
JAN 13 2003
CLERK OF DISTRICT COURT
FIFTH JUDICIAL DISTRICT
IDAHO
TWIN FALLS

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

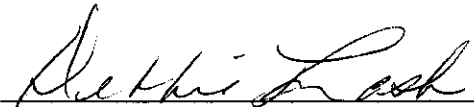
Water Right(s): 51-12935

On January 13, 2003, 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 January 13, 2003.


DEBBIE LASH
Deputy Clerk

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FILED
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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 51-12935

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 January 13, 2003, with sufficient first-class postage prepaid to the following:

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

BERT BRACKETT
Represented by:
CRAIG A. PRIDGEN
MCQUAID, METZLER, ET AL
221 MAIN ST, 16TH FLOOR
SAN FRANCISCO, CA 94105
Phone: 415-905-0200

BRACKETT LIVESTOCK INC
Represented by:
ROGER D LING
PO BOX 396
RUPERT, ID 83350
Phone: 208-436-4717

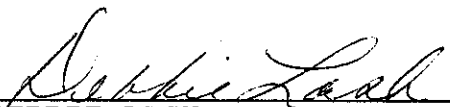
CERTIFICATE OF MAILING

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Represented by:

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



DEBBIE LASH
Deputy Clerk