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JUN - 7 2002

Department of Water Resources

2002 JUN -6 PM 4:40

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

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 31-11682
)

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.

An *Objection* was filed by Stephen L. Ball on September 6, 2001. An *Amended Director's Report* was filed on April 19, 2002. The *Amended Director's Report* was placed on the Docket Sheet. No objections were filed to the *Amended Director's Report* and the time for filing such objections has now expired.

II. CONCLUSIONS OF LAW

Therefore, based on the file and record herein, IT IS RECOMMENDED that this water right be decreed with the elements as set forth in the attached *Special Master's Recommendation for Partial Decree*.

DATED: June ^{BB}6, 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 31-11682

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TWIN FALLS CO., IDAHO
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NAME AND ADDRESS: ESTATE OF LELAND W BALL
C/O STEPHEN L BALL
1960 BEAR ISLAND
IDAHO FALLS, ID 83402

SOURCE: GROUND WATER

QUANTITY: 0.10 CFS
17.50 AFY

USE OF THIS RIGHT WITH RIGHT NO. 31-11436 AND RIGHT NO.
31-11681 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.71
CFS.

PRIORITY DATE: 08/18/1951

POINT OF DIVERSION: T07N R36E S15 SENWNE Within Jefferson County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.10 CFS 17.50 AFY

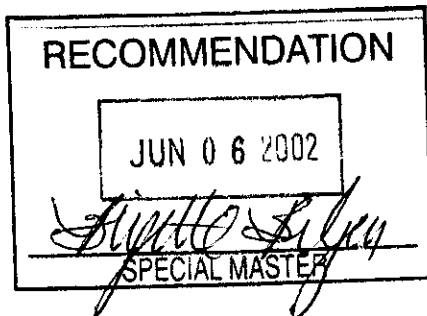
PLACE OF USE: Irrigation Within Jefferson County
T07N R36E S15 NENE 5.0
5.0 Acres Total

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

JUN - 7 2002

Department of Water Resources

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

In Re SRBA)
)
Case No. 39576)
)
)

Water Right(s) : 31-11682

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.

Janet Connell
JANET CONNELL
Deputy Clerk

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STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s): 31-11682

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 June 06, 2002, with sufficient first-class postage prepaid to the following:

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

ESTATE OF LELAND W BALL
C/O STEPHEN L BALL
1960 BEAR ISLAND
IDAHO FALLS, ID 83402
Phone: 208-523-0077

STEPHEN L BALL
27 N 3167 E
IDAHO FALLS, ID 83402
Phone: 208-745-5666



JANET CONNELL
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
06/06/02