

JUN 25 2002

2002 JUN 24 AM 10:12

DISTRICT COURT - SRBA
TRINITY COUNTY, IDAHO
FILED

In Re SRBA	)	SPECIAL MASTER'S REPORT
	)	
Case No. 39576	)	FINDINGS OF FACT AND
	)	CONCLUSIONS OF LAW
	)	
	)	FOR WATER RIGHTS 63-21311
	)	

I. FINDINGS OF FACT

On March 24, 2000, Judge Wood issued a ***Partial Decree*** for water right 63-21311. On December 5, 2001, the SRBA District Court received correspondence from Rod St Clair regarding the above-captioned water right. Accordingly, the correspondence from Mr. St Clair was treated as a motion to set-aside partial decree. On December 6, 2001, the Court entered an ***Order of Reference to Special Master Thomas R. Cushman*** to determine the intended purpose of the correspondence and provide a recommendation to the Court as to the disposition of the matter.

The *Objection* to this water right was resolved on April 22, 2002, with the filing of a *Standard Form 5/Amended Claim for Domestic and Stockwater Rights*. Rod St Clair and IDWR have signed the *Standard Form 5/Amended Claim for Domestic and Stockwater Rights*.

II. CONCLUSIONS OF LAW

Therefore, based on the file and record herein and pursuant to the *Standard Form 5/Amended Claim*, IT IS RECOMMENDED that water right 63-21311 be **decreed** with the elements as set forth in the *Recommendation for Amended Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED June 24, 2002.

THOMAS R. CUSHMAN
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 63-21311

2002 JUN 24 AM 10:12

DISTRICT COURT - SRBA
TWIN FALLS CO. IDAHO
FILED

RECEIVED

JUN 25 2002

Department of Water Resources

NAME AND ADDRESS: ROD ST CLAIR
1224 S ROBINSON RD
NAMPA, ID 83687

SOURCE: GROUNDWATER

QUANTITY: 0.16 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 01/01/1900

POINT OF DIVERSION: T03N R01W S32 SWNW Within Canyon County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic	01-01 TO 12-31	0.04 CFS
	Stockwater	01-01 TO 12-31	0.12 CFS

PLACE OF USE: Stockwater Within Canyon County
T03N R01W S32 SWNW

Domestic Within Canyon County
T03N R01W S32 SWNW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

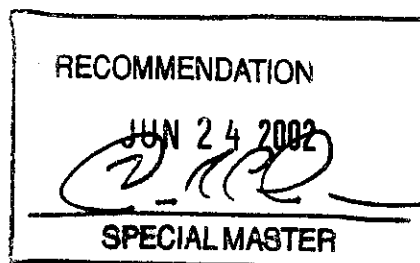
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

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



RECEIVED

JUN 25 2002

Department of Water Resources

2002 JUN 24 AM 10:12

DISTRICT COURT - SRBA
TWIN FALLS CO. IDAHO
FILED *PL*

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): 63-21311

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 24, 2002, with sufficient first-class postage prepaid to the following:

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

ROD ST CLAIR
1224 S ROBINSON RD
NAMPA, ID 83687
Phone: 208-466-8773


DEBBIE LASH
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
06/24/02

JUN 25 2002

2002 JUN 24 AM 10:12

~~CONFIDENTIAL - SSSA~~

In Re SRBA
Case No. 39576

Water Right(s) : 63-21311

Debbie Lash
DEBBIE LASH
Deputy Clerk