

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

disappears, and the party with the benefit of the presumption retains the burden of persuasion on the issue. *State v. Hagerman Water Right Owners*, 130 Idaho 736, 947 P.2d 409, 418 (1997). The *Director's Report* conclusion on priority was not challenged.

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: May 3, 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 31-00277

2002 MAY -3 PM 4:42

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

NAME AND ADDRESS:

UNITED STATES OF AMERICA ACTIN
USDI FISH AND WILDLIFE SERVICE
DIVISION OF ENGINEERING
911 N E 11TH AVE
PORTLAND, OR 97232-4181

SOURCE:

CAMAS CREEK

TRIBUTARY: MUD LAKE

QUANTITY:

1.70 CFS

PRIORITY DATE:

04/01/1984

POINT OF DIVERSION:

T07N R35E S01
T08N R36E S12

NESWSE
NESENW

Within Jefferson County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
Wildlife

PERIOD OF USE
04-01 TO 07-01

QUANTITY
1.70 CFS

PLACE OF USE:

Wildlife

Within Jefferson County

T07N R35E S01

SESW

SWSE

LOT 07 (SESE)

S12 LOT 01 (NENE)

SWNE

LOT 02 (SENE)

NENW

SENW

NESW

NWSW

LOT 03 (NESE)

SWSE

LOT 04 (SESE)

S13 LOT 01 (NENE)

SWNE

NWNE

NESW

LOT 02 (SENE)

LOT 03 (NESE)

SWSE

SENW

S24 LOT 01 (NENE)

SWNE

LOT 04 (SESE)

NENW

LOT 02 (SENE)

NESW

SENW

LOT 03 (NESE)

SWSE

SESW

S25 LOT 01 (NENE)

SWNE

LOT 04 (SESE)

LOT 03 (NESE)

LOT 02 (SENE)

R36E S05 LOT 04 (NWNW)

SESW

NWSE

S06 LOT 01 (NENE)

SWNE

LOT 04 (SESE)

NESW

LOT 02 (SENE)

LOT 07 (SWSW)

NESE

SESW

SWSE

NWSE

S07

NENE

SESE

SWNE

NWNE

NENW

SENE

LOT 02 (SNNW)

NESW

LOT 01 (NWNW)

LOT 04 (SWSW)

NESE

LOT 06 (NWSW)

SWSE

SESW

S08

NENE

SESE

NWSE

SESE

NWNE

SENE

LOT 03 (NWSW)

SESW

NWSE

SESE

NWNE

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

	SWNE	SENE
	NENW	NWNW
	SNNW	SENW
	NESW	NWSW
	SWSW	SESW
	NESE	NWSE
	SWSE	SESE
S09	NWNW	SNNW
	NWSW	SWSW
	SESW	
S16	NWNW	SNNW
	NESW	NWSW
	SWSW	SESW
	NWSE	SWSE
S17	NENE	NWNE
	SWNE	SENE
	NENW	NWNW
	SNNW	SENW
	NESW	NWSW
	SWSW	SESW
	NESE	NWSE
	SWSE	SESE
S18	NENE	NWNE
	SWNE	SENE
	NENW	LOT 01 (NWNW)
LOT 02 (SNNW)		SENW
	NESW	LOT 03 (NWSW)
LOT 04 (SWSW)		SESW
	NESE	NWSE
	SWSE	SESE
S19	NENE	NWNE
	SWNE	SENE
	NENW	LOT 01 (NWNW)
LOT 02 (SNNW)		SENW
	NESW	LOT 03 (NWSW)
LOT 04 (SWSW)		SESW
	NESE	NWSE
	SWSE	SESE
S20	NENE	NWNE
	SWNE	SENE
	NENW	NWNW
	SNNW	SENW
	NESW	NWSW
	SWSW	SESW
	NWSE	
S21	NENW	NWNW
	SNNW	SENW
S29	NENW	NWNW
	SNNW	SENW
	NWSW	
S30	NENE	NWNE
	SWNE	SENE
	NENW	LOT 01 (NWNW)
LOT 02 (SNNW)		SENW
	NESW	LOT 03 (NWSW)
LOT 04 (SWSW)		SESW
	NESE	NWSE
	SWSE	SESE
T08N R16E S32	NESW	NWSW
	SWSW	SESW

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
 3045 ACRES WITHIN THE BOUNDARY OF THE PLACE OF USE DESCRIBED
 ABOVE. COMBINED RIGHT NOS.: 31-00269, 31-00270, 31-00271,

PLACE OF USE (continued)

31-00272, 31-00273, 31-00274, 31-00275, 31-00276, 31-00277,
31-00278, 31-00279, 31-00280, 31-00281, 31-00282, 31-00283 AND
31-00284.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
5231 ACRES WITHIN THE BOUNDARY OF THE CAMAS NATIONAL WILDLIFE
REFUGE. COMBINED RIGHT NOS.: 31-00269, 31-00270, 31-00271,
31-00272, 31-00273, 31-00274, 31-00275, 31-00276, 31-00277,
31-00278, 31-00279, 31-00280, 31-00281, 31-00282, 31-00283,
31-00284, 31-02251, 31-02350, 31-02362, 31-02363, 31-07301,
31-11230, 31-11231 AND 31-11232.

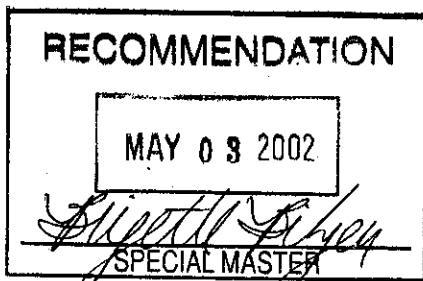
THIS RIGHT IS LIMITED TO 85 ACRES WITHIN THE BOUNDARY OF THE
PLACE OF USE DESCRIBED ABOVE.

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 MAY -3 PM 4: 42

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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): 31-00277

On May 03, 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 May 03, 2002.


JANET CONNELL
Deputy Clerk

2002 MAY -3 PM 4: 42

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
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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)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s): 31-00277

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 May 03, 2002, with sufficient first-class postage prepaid to the following:

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

UNITED STATES OF AMERICA
UNITED STATES OF AMERICA ACTIN
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835


JANET CONNELL
Deputy Clerk

CERTIFICATE OF MAILING

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