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MAY 23 2002

Department of Water Resources

2002 MAY 22 PM 2:52

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

DISTRICT COURT-SRBA

TWIN FALLS, IDAHO

FILED

In Re SRBA

) Subcase 51-02260

) (L&M Farms)

Case No. 39576

)

) SPECIAL MASTER REPORT

Findings of Fact

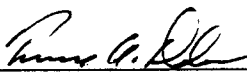
The Director of the Idaho Department of Water Resources filed his *Director's Report, Irrigation and Other Uses, Reporting Area 6, Volume One (IDWR Basin 51)*, on November 24, 1998. The Director recommended claim 51-02260 to L&M Farms, P.O. Box 421, Buhl, Idaho 83316 for 5.68 cfs from groundwater to irrigate 284 acres from April 1 to October 31 with a priority date of April 8, 1966, based on a license.

No one objected to the claim. However, 51-02260 was identified by IDWR as overlapping contested claims 51-02261 and 51-02262. Both of those contested claims have been partially decreed.

Conclusions of Law

L&M Farms is entitled to a partial decree adjudicating a water right under claim 51-02260 as recommended by IDWR and as described in the attached *Special Master Recommendation for Partial Decree for Water Right 51-02260*.

DATED May 22, 2002.


TERRENCE A. DOLAN
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 51-02260

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DISTRICT COURT-SRBA
TWIN FALLS, IDAHO
FILED *[Signature]*

NAME AND ADDRESS: L & M FARMS
PO BOX 421
BUHL, ID 83316

SOURCE: GROUNDWATER

QUANTITY: 5.68 CFS
1136.00 AFY

PRIORITY DATE: 04/08/1966

POINT OF DIVERSION: T10S R12E S02 NWSW Within Twin Falls County
S03 SENE
S11 SWSE

TWO POINTS OF DIVERSION LOCATED IN NWSW, S02, T10S, R12E.
TWO POINTS OF DIVERSION LOCATED IN SWSE, S11, T10S, R12E.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	5.68 CFS 1136.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK
IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED
EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE
DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:	Irrigation		Within Twin Falls County
	T10S R12E S02	NWSW 20.0	SWSW 19.0
	S03	NESW 19.5	SESW 19.5
		NESE 39.0	SWSE 39.5
		SESE 39.5	
	S10	NENE 35.0	NWNE 19.0
	S11	NWSW 34.0	
	284.0 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).

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TWIN FALLS, IDAHO

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
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In Re SRBA)

Case No. 39576)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

Water Right(s): 51-02260

On May 22, 2002, Special Master TERRENCE A. DOLAN 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 22, 2002.

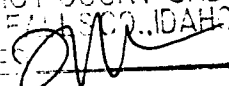

LETTIE MESSICK
Deputy Clerk

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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)
_____)

CERTIFICATE OF MAILING

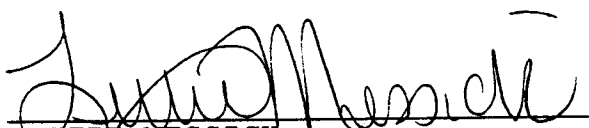
Water Right(s): 51-02260

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 22, 2002, with sufficient first-class postage prepaid to the following:

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

L & M FARMS
PO BOX 421
BUHL, ID 83316
Phone: 208-543-6319


LETTIE MESSICK
Deputy Clerk

CERTIFICATE OF MAILING

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