

SEP 30 2002

By 

Clerk

Deputy Clerk

**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** ) **Subcase 43-10628**  
 ) **(Six S Ranch, Inc.)**  
**Case No. 39576** )  
 ) **SPECIAL MASTER REPORT**

**Findings of Fact**

L.S. Skaggs filed a *Notice of Claim to a Water Right* on November 27, 1989, claiming .05 cfs from a spring, an unnamed stream and a reservoir for stockwater use in Cassia County from March 1 to December 31 with a priority date of May 20, 1968, based on beneficial use. The Director of the Idaho Department of Water Resources filed his *Director's Reports for Irrigation and Other, Reporting Area 7, IDWR Basin 43, Part I* on September 28, 2001. The Director recommended the claim to Dewey Acres, LC, for .02 cfs from an unnamed stream.

The United States of America, Department of Interior, Bureau of Land Management filed an *Objection* on February 8, 2002, objecting to point of diversion and place of use. On August 14, 2002, Dewey Acres, LC, the United States and IDWR filed a *Standard Form 5* agreeing to amend the point of diversion and place of use. The same date, IDWR filed a *Notice of Completed Administrative Proceeding* for a substitution of party from Dewey Acres, LC, to Six S Ranch, Inc., P.O. Box 1760, Eagle, Idaho 83616.

**Conclusions of Law**

Six S Ranch, Inc., is entitled to a partial decree adjudicating a water right under claim 43-10628 as described in the *Standard Form 5* and the attached *Special Master Recommendation for Partial Decree for Water Right 43-10628*.

DATED September 30, 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

DISTRICT COURT-SRBA

Fifth Judicial District

County of Twin Falls - State of Idaho

SEP 30 2002

In Re SRBA

Case No. 39576

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR

Water Right 43-10628

Clerk

Deputy Clerk

NAME AND ADDRESS: SIX S RANCH INC  
PO BOX 1760  
EAGLE, ID 83616

SOURCE: UNNAMED STREAM

TRIBUTARY: SINKS

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 05/20/1968

POINT OF DIVERSION: T11S R26E S05 NWSW (Instream Beginning Point) Within Cassia County  
NWSW (Instream Ending Point)

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Stockwater     | 03-01 TO 12-31 | 0.02 CFS |

PLACE OF USE: Stockwater Within Cassia County  
T11S R26E S05 NWSW

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

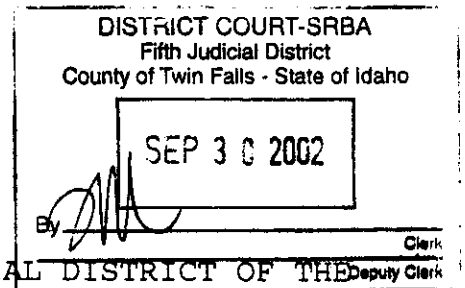
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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

RECOMMENDATION

SEP 30 2002

SPECIAL MASTER



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

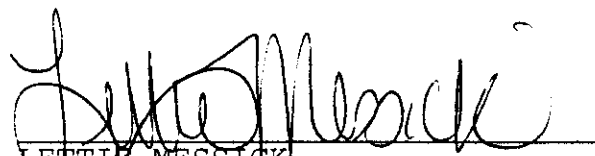
Water Right(s): 43-10628

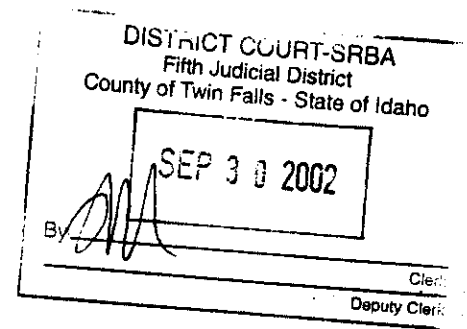
On September 30, 2002, Special Master TERRENCE A. DOLAN issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

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 September 30, 2002.

  
LETTIE MESSICK  
Deputy Clerk



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): 43-10628

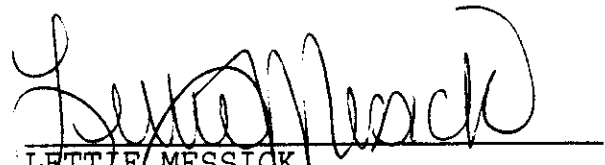
CERTIFICATE OF MAILING

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 September 30, 2002, with sufficient first-class postage prepaid to the following:

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

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

SIX S RANCH INC  
PO BOX 1760  
EAGLE, ID 83616

  
LETTIE MESSICK  
Deputy Clerk

CERTIFICATE OF MAILING

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