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Department of Water Resources

2002 AUG 29 PM 3: 59

DISTRICT COURT-SRBA
TWIN FALLS, IDAHO

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 47-10570

)

(Salmon Falls Land & Livestock Co., Inc.)

Case No. 39576

)

)

SPECIAL MASTER REPORT

Findings of Fact

Salmon Falls Land & Livestock Company, Inc., 123 Bell Rapids Road, Hagerman, Idaho 83332-6041, filed a *Notice of Claim to a Water Right* on October 5, 1988, claiming .06 cfs from groundwater for year-'round stockwater use in Owyhee and Twin Falls Counties with a priority date of August 14, 1966, based on beneficial use. The Director of the Idaho Department of Water Resources filed his *Director's Report for Domestic and Stockwater, Reporting Area 12, Volume Two (IDWR Basin 47)* on August 14, 1998. The Director recommended the claim as filed.

The United States of America, Department of Interior, Bureau of Land Management filed an *Objection* on February 12, 1999, objecting to priority date and place of use. However, on July 30, 2002, the claimant, the United States and IDWR filed an *Amended Claim Standard Form 5* agreeing to change the place of use.

Conclusions of Law

Salmon Falls Land & Livestock Company, Inc., is entitled to a partial decree adjudicating a water right as described in the *Amended Claim SF-5* and the attached *Special Master Recommendation for Partial Decree for Water Right 47-10570*.

DATED August 29, 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 47-10570

2002 AUG 29 PM 3:59
DISTRICT COURT-SRBA
TWIN FALLS, IDAHO
FILED *[Signature]*

NAME AND ADDRESS: SALMON FALLS LAND & LIVESTOCK
123 BELL RAPIDS RD
HAGERMAN, ID 83332-6041

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

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

PRIORITY DATE: 08/14/1966

POINT OF DIVERSION: T14S R12E S12 SWSWNE Within Twin Falls County
S15 SWSWNW Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.06 CFS

PLACE OF USE:	Stockwater		Within Owyhee County
	T13S R12E S22	NESW	
	S27	SESW	
	S28	SESE	
	S34	NENW	
	T14S R12E S02	SWNW	
	S03	NESW	
	S04	NESE	
	S11	SWNW	SWSW
	S12	SWNE	NWSE
	S13	SENW	
	S15	SWNW	
	S22	NENW	

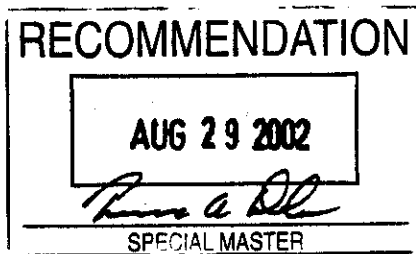
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

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TWIN FALLS, IDAHO
FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL
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): 47-10574

On August 29, 2002, Special Master HON. ROGER S. BURDICK 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 August 29, 2002.

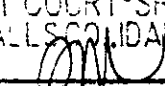

LETTIE MESSICK
Deputy Clerk

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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)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s): 47-10574

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 August 29, 2002, with sufficient first-class postage prepaid to the following:

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

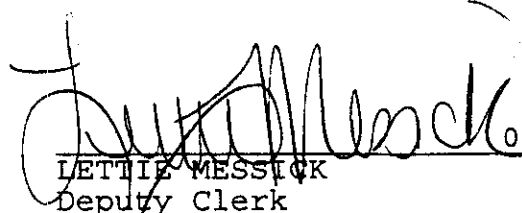
SALMON FALLS LAND & LIVESTOCK

Represented by:
ROGER D LING
PO BOX 396
RUPERT, ID 83350
Phone: 208-436-4717

USDI BLM

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

CERTIFICATE OF MAILING


LETTIE MESSICK
Deputy Clerk

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