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Department of Water Resources

2002 AUG 29 PM 4: 00

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 47-10574**

) **(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 .08 cfs from groundwater for year-'round stockwater use in Owyhee County with a priority date of August 30, 1965, 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 47-10574*.

DATED August 29, 2002.



TERRENCE A. DOLAN

Special Master

Snake River Basin Adjudication

In Re SRBA)
)
Case No. 39576)
)

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DISTRICT COURT-SRBA
TWIN FALLS, IDAHO
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QUANTITY: 0.08 CFS

PRIORITY DATE: 08/30/1965

POINT OF DIVERSION: T13S R12E S31 NESENW Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.08 CFS

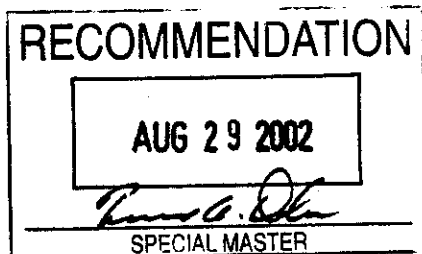
PLACE OF USE:	Stockwater		Within Owyhee County
	T12S R11E S36	NESW	
	T13S R11E S01	SWNE	SENW
	S12	SWNE	SENW
	S13	NWSE	
	S24	NENW	
	S25	NWSW	
	R12E S17	SWSW	NWSE
	S20	SWNW	
	S21	SESW	
	S29	SWNE	SESE
	S30	NESE	SWSE
	S31	NENW	SENW
	S32	NENE	NESE

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

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) : 47-10574

On August 29, 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 August 29, 2002.


LETTIE MESSICK
Deputy Clerk

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TWIN FALLS CO, IDAHO
FILED *DM*

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) : 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

Lebbie Messick
LEBBIE MESSICK
Deputy Clerk
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