

2002 SEP 12 AM 11: 10

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 36-10197
) (Woodland)
Case No. 39576)
) SPECIAL MASTER REPORT

Findings of Fact

Michael and Patricia Woodland, 800 W. Highway 24, Paul, Idaho 83347, filed a *Notice of Claim to a Water Right* on July 12, 1988, claiming .72 cfs from groundwater to irrigate 491 acres in Lincoln County from March 15 to November 15 with a priority date of June 1, 1958, based on beneficial use. The Director of the Idaho Department of Water Resources filed his *Director's Report, Part I, for Reporting Area 3 (Basin 36)* on November 2, 1992. The Director recommended the claim for irrigation of 36 acres within a 491 acre place of use from April 1 to October 31 with a priority date of August 11, 1959.

The United States of America, Department of Interior, Bureau of Land Management filed an *Objection* on April 30, 1993, objecting to quantity, place of use and consumptive use. IDWR filed a *Notice of Completed Administrative Proceedings* on September 22, 1998, for a change in place of use. On September 5, 2002, the Special Master entered an *Order Granting Motion to Dismiss Objections* dismissing the United States *Objections* based on the *NCAP*.

Conclusions of Law

The Woodlands are entitled to a partial decree adjudicating a water right under claim 36-10197 as described in the attached *Special Master Recommendation for Partial Decree for Water Right 36-10197*.

DATED September 12, 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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 36-10197

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DISTRICT COURT-SRBA
TWIN FALLS, IDAHO
FILED 

NAME AND ADDRESS: PATRICIA WOODLAND
MICHAEL D. WOODLAND
800 W HWY 24
PAUL, ID 83347

SOURCE: GROUNDWATER

QUANTITY: 0.72 CFS
144.00 AFY

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 8.60 CFS AND A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 1964.0 AF.
COMBINED RIGHT NOS.: 36-02567, 36-02207, 36-15179, AND 36-02674

PRIORITY DATE: 08/11/1959

POINT OF DIVERSION: T06S R22E S19 NESWSE Within Lincoln County
S28 SESESW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.72 CFS 144.00 AFY

PLACE OF USE:	Irrigation	Within Lincoln County
	T06S R22E S19	SWSE 28.0
	S28	SWNW 34.0 NESW 36.0 SWSW 17.0
	S29	SWNE 37.0 NWNW 29.0 SENE 29.0 SESW 29.0
	S30	SESE 37.0 NWSE 22.0 SESE 2.0 NWNE 31.0
	491.0 Acres Total	

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 491 ACRES IN A SINGLE
IRRIGATION SEASON.

COMBINED RIGHT NOS.: 36-02567, 36-02207, 36-15179, AND 36-02674.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 36 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

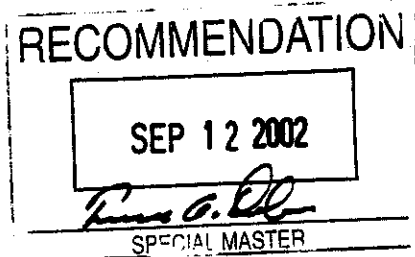
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

A MEASURING DEVISE OF A TYPE APPROVED BY IDWR SHALL BE
MAINTAINED AS A PART OF THE DIVERTING WORKS.

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

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

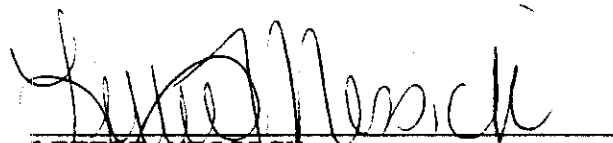
Water Right(s): 36-10197

On September 12, 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 12, 2002.


LETTIE MESSICK
Deputy Clerk

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DISTRICT COURT-SRBA
TWIN FALLS, 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): 36-10197

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 12, 2002, with sufficient first-class postage prepaid to the following:

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

STATE OF IDAHO

Represented by:
CLIVE STRONG
NATURAL RESOURCES
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720-0010
Phone: 208-334-2400

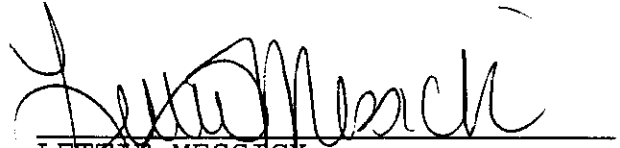
MICHAEL D. WOODLAND

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

CERTIFICATE OF MAILING

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PATRICIA WOODLAND
MICHAEL D. WOODLAND
800 W HWY 24
PAUL, ID 83347
Phone: 208-532-4215



LETTIE MESSICK
Deputy Clerk