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SEP 18 2002

Department of Water Resources

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
SEP 18 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

Case No. 39576

) Subcase 36-02207
) (Woodland)
)
) AMENDED 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 3.44 cfs from groundwater to irrigate 491 acres in Lincoln County from March 15 to November 15 with a priority date of March 30, 1953, based on a license. 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 172 acres within a 491 acre place of use from April 1 to October 31.

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*.

A *Special Master Report and Recommendation* was entered on September 12, 2002. However, the court recently received a *Standard Form 5* that described elements differently than the *Recommendation*. This *Amended Special Master Report and Recommendation* incorporates the elements as described in the *SF5*.

Conclusions of Law

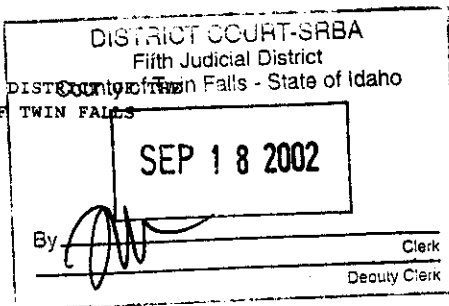
The Woodlands are entitled to a partial decree adjudicating a water right under claim 36-02207 as described in the attached *Amended Special Master Recommendation for Partial Decree for Water Right 36-02207*.

DATED September 18, 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 36-02207

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

SOURCE: GROUNDWATER

QUANTITY: 3.44 CFS
688.00 AFY

RIGHT NOS. 36-02207, 36-02567, 36-02674, 36-10197 AND 36-15179
ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 8.60 CFS AND A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1964 AF.

PRIORITY DATE: 03/30/1953

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	3.44 CFS 688.00 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 Lincoln County
T06S R22E S19	SWSE 28.0	
S28	SNNW 34.0	SENN 35.0
	NESW 36.0	NNSW 40.0
	SWSW 17.0	SESW 29.0
S29	SWNE 37.0	SENE 37.0
	NNNW 29.0	SNNW 15.0
	SENN 24.0	NESE 38.0
	NWSE 22.0	SESE 2.0
S30	NENE 37.0	NNNE 31.0
491.0 Acres Total		

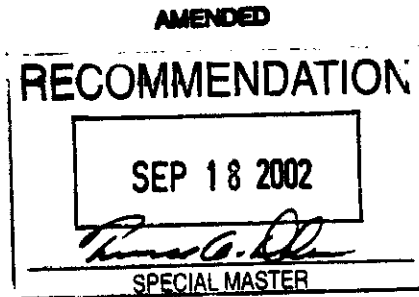
RIGHT NOS. 36-02207, 36-02567, 36-02674, 36-10197 AND 36-15179
ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 491 ACRES
IN A SINGLE IRRIGATION SEASON.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 172 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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).

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

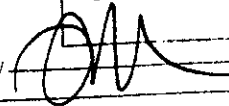
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Department of Water Resources

District Court of the Fifth Judicial District
County of Twin Falls - State of Idaho

SEP 18 2002

By 

CLERK

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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): 36-02207

On September 18, 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 18, 2002.


LETTIE MESSICK
Deputy Clerk

NOTICE OF ISSUANCE

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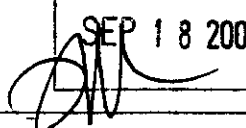
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DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

SEP 18 2002

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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): 36-02207

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 18, 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