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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	)	Subcases 43-10917 (45-13465)
	)	43-10919 (45-13466)
Case No. 39576	)	43-10921 (45-13467)
	)	(US/BLM)
	)	
	)	SPECIAL MASTER REPORT
	)	AND RECOMMENDATION

Findings of Fact

The United States of America, Department of Interior Bureau of Land Management, Idaho State Office, 1387 S. Vinnell Way, Boise, Idaho, 83709-1657, filed *Notices of Claims to Water Rights* under claim numbers 43-10917, 43-10919 and 43-10921 each claiming .02 cfs from springs for year-'round stockwater use in Cassia County with a priority date of January 1, 1873, based on beneficial use. The Director of the Idaho Department of Water Resources filed his *Director's Report, Domestic & Stock, Reporting Area 7, IDWR Basin 43* on March 2, 1998. The Director recommended the claims be disallowed: "Claim incomplete."

The United States filed *Objections* on July 2, 1998, objecting to the claims not being recommended: "This claim is actually located in Basin 45 and should be recommended and assigned a Basin 45 number." On June 27, 2002, IDWR filed a *Notice of Completed Administrative Proceeding* stating: "Number change: Original numbers in wrong administrative basin." Each claim was then assigned a new claim number in Basin 45.

Conclusions of Law

Claims 43-10917, 43-10919 and 43-10921 should not be decreed a water right the claims having been renumbered as 45-13465, 45-13466 and 45-13467, respectively.

Recommendation

THEREFORE, IT IS RECOMMENDED that claims 43-10917, 43-10919 and 43-10921 be **dismissed**.

DATED August 16, 2005.



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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 43-10917
43-10919 43-10921

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 16, 2005, with sufficient first-class postage prepaid to
the following:

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

USDI BLM
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724



ROBBIN HALL
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
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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

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)
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)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

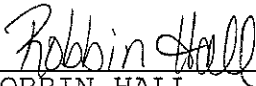
Water Right(s): 43-10917
43-10919 43-10921

On August 16, 2005, 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 16, 2005.



ROBBIN HALL
Deputy Clerk