

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

2005 OCT 26 AM 11 33

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	)	SPECIAL MASTER'S REPORT
	)	
Case No. 39576	)	FINDINGS OF FACT AND
	)	CONCLUSIONS OF LAW
	)	
	)	FOR WATER RIGHT 82-02017
	)	

I. FINDINGS OF FACT

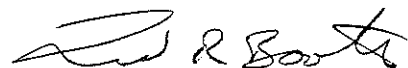
A notice of claim was filed for the above listed water right pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water resources examined the water system for this reporting area. The *Director's Report* contained a recommendation or abstract for the elements of this water right.

On March 25, 2005, the United States of America, Department of Interior, Bureau of Land Management (BLM), filed an objection to the *Director's Report*, asserting that the legal description of the place of use should be specific enough to exclude Federal land. On October 13, 2005, the parties to the subcase filed a *Standard Form 5 -- Stipulated Elements of a Water Right*, which resolved the BLM's objection. The *Amended Director's Report* attached to the *Standard Form 5* also included a change of ownership of the water right. The Idaho Department of Water Resources concurred with the stipulation.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein and pursuant to the *Standard Form 5*, IT IS RECOMMENDED that water right 82-02017 be **decreed** with the elements as set forth in the attached *Recommendation for Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated October 26, 2005.



THEODORE R BOOTH
Special Master
Snake River Basin Adjudication

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In Re SRBA)
)
Case No. 39576)

)

CERTIFICATE OF MAILING

Water Right(s): 82-02017

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 October 26, 2005, with sufficient first-class postage prepaid to
the following:

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

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

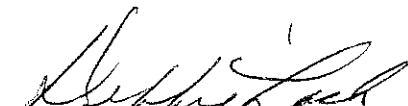
DENNIS SNYDER
MELROSE E APARTMENTS #10
1925 MELROSE
WALLA WALLA, WA 99362

ROBERT L TUCKER
P O BOX 88
SUTTON, AK 99674

CERTIFICATE OF MAILING

PAGE 1
10/26/05

ORRIN R SAUNDERS
702 MAPLE ST
GRANGEVILLE, ID 83530

A handwritten signature in cursive script, appearing to read "Debbie Lash", written over a horizontal line.

DEBBIE LASH
Deputy Clerk

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In Re SRBA)
)
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)

)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

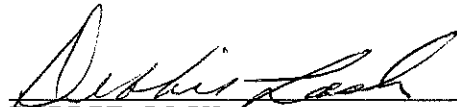
Water Right(s): 82-02017

On October 26, 2005, Special Master THEODORE R. BOOTH
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 October 26, 2005.



DEBBIE LASH
Deputy Clerk