

2005 OCT 26 AM 11 34

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 85-07571
_____	)	

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 May 23, 2005, the claimant of the water right, the Winchester Property Owners Association, filed an objection to the *Director's Report*. On October 12, 2005, the parties to the subcase filed a *Standard Form 5 – Stipulated Elements of a Water Right*, which resolved the objection. The Idaho Department of Water Resources concurred in 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 85-07571 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 24, 2005.



THEODORE R BOOTH
Special Master
Snake River Basin Adjudication

DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO
FILED

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TWIN FALLS CO. IDAHO
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In Re SRBA)
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CERTIFICATE OF MAILING

Water Right(s): 85-07571

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

WINCHESTER PROPERTY OWNERS
ASSN
673 GRANITE ROAD
WINCHESTER, ID 83555-0440
Phone: 208-743-8649

THOMAS HAWKINS
WINCHESTER PROP OWNERS ASSN
673 GRANITE RD
WINCHESTER, ID 83555
Phone: 208-924-5571

CERTIFICATE OF MAILING


DEBBIE LASH
Deputy Clerk

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)
Case No. 39576)
)
)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

Water Right(s): 85-07571

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.


DEBBIE LASH
Deputy Clerk