

DISTRICT COURT - SRBA
TWIN FALLS
TWIN FALLS CO., IDAHO
FILED _____

2005 NOV 22 PM 2 12

SOURCE: GROUND WATER

QUANTITY: 1.60 CFS
480.00 AFY

PRIORITY DATE: 02/29/1960

PLACE OF USE:	Irrigation	Within Cassia County
	T12S R22E S07	NESE 40.0 NWSE 40.0
		SESE 39.0
	S08	NENE 40.0 NWNE 40.0
		SWNE 40.0 SENE 40.0
		NENW 40.0 NWNW 39.0
		SWNW 38.0 SENW 40.0
		NESW 40.0 NWSW 40.0

PLACE OF USE (continued)

SWSW 39.0	SESW 39.0
NESE 40.0	NWSE 40.0
SWSE 39.0	SESE 36.0

749.0 Acres Total

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 749 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-2377C, 45-2392, 45-2504, 45-2605 & 45-4041.

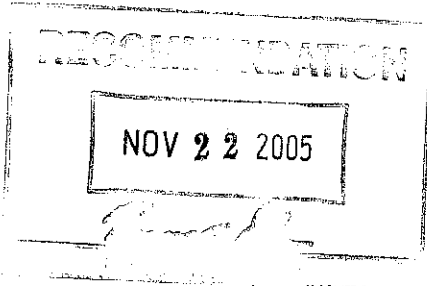
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 717.4 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 45-2377C, 45-2392, 45-2504 & 45-2605. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION 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.



John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

2005 NOV 22 PM 2 11

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 45-2377C, *et al.*
) (see list of 10 subcases attached)
Case No. 39576) (Howard R. Adams & Sons, Inc.)
)
_____) SPECIAL MASTER REPORT

Findings of Fact

The Director of the Idaho Department of Water Resources filed his *Director's Report for Irrigation and Other, Reporting Area 10, IDWR Basin 45* on September 7, 2004. The Director recommended the above ten claims to Howard R. Adams & Sons, Inc., 496 West, 1000 South, Burley, Idaho, 83318, for various amounts between .5 cfs and 5.6 cfs from groundwater to irrigate 1077.8 acres in Cassia County between March 15 and November 15 with priority dates between May 14, 1951, and June 30, 1985, based on licenses and beneficial uses.

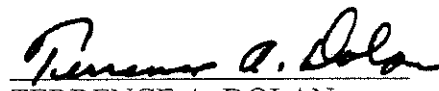
IDWR filed a *Notice of Completed Administrative Proceeding* on January 7, 2005, in all ten subcases for change in point of diversion. Howard R. Adams & Sons, Inc., was granted leave to file a late objection on May 6, 2005, objecting to quantity and place of use and alleging claim 45-2594 should not have been split. On November 7, 2005, Howard & Sons and IDWR filed a *Standard Form 5* for each claim.

Conclusions of Law

Howard R. Adams & Sons, Inc., is entitled to partial decrees adjudicating water rights for the above ten claims as described in the *SF-5's* and the attached *Special Master*

Recommendations for Water Rights.

DATED November 22, 2005.


TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

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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)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s): 45-02377C

45-02392 45-02411 45-02412

45-02504 45-02594A 45-02605

45-04041 45-07439A 45-10365

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 November 22, 2005, with sufficient first-class postage prepaid to the following:

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

HOWARD R ADAMS & SONS INC

Represented by:

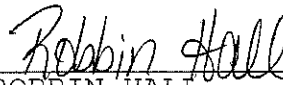
ROGER D LING

615 H ST

PO BOX 396

RUPERT, ID 83350-0396

Phone: 208-436-4717



ROBBIN HALL
Deputy Clerk

CERTIFICATE OF MAILING

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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

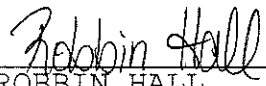
Water Right(s): 45-02377C
45-02392 45-02411 45-02412
45-02504 45-02594A 45-02605
45-04041 45-07439A 45-10365

On November 22, 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 November 22, 2005.



ROBBIN HALL
Deputy Clerk