

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

2005 NOV 29 AM 11 24

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	)	Subcase 45-2427
	)	(Searle)
Case No. 39576	)	
_____	)	SPECIAL MASTER REPORT

Findings of Fact

Paul and Gale Searle filed a *Notice of Claim to a Water Right* on June 14, 1989, claiming 4 cfs from groundwater to irrigate 240 acres in Cassia County from March 1 to November 1 with a priority date of December 12, 1952, based on a license. 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 claim as filed to Gale Searle, c/o Duane Searle, 237 East, 600 South, Burley, Idaho, 83318, and Paul M. Searle, 175 East, 600 South, Burley, Idaho, 83318, but for irrigation from March 15 to November 15.

Paul Searle filed an *Objection* on February 25, 2005, objecting to place of use. On October 24, 2005, the Searles and IDWR filed a *Standard Form 5* agreeing to irrigation of 249.7 acres.

Conclusions of Law

The Searles are entitled to a partial decree adjudicating a water right as described in the *SF-5* and the attached *Special Master Recommendation for Partial Decree for Water Right 45-2427*.

DATED November 29, 2005.



TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

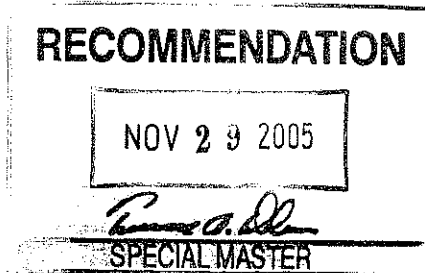
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RULE 54(b) CERTIFICATE

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

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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): 45-02427

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 29, 2005, with sufficient first-class postage prepaid to the following:

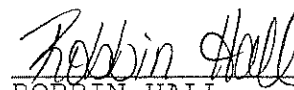
DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

GALE SEARLE
C/O DUANE SEARLE
237 E 600 S
BURLEY, ID 83318
Phone: 208-678-2008

PAUL SEARLE
171 E 600 S
BURLEY, ID 83318
Phone: 208-678-5060

PAUL M SEARLE
175 E 600 S
BURLEY, ID 83318
Phone: 208-678-5060

CERTIFICATE OF MAILING


ROBBIN HALL
Deputy Clerk

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11/29/05

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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
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In Re SRBA)
)
Case No. 39576)
)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

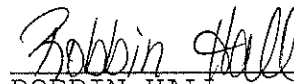
Water Right(s): 45-02427

On November 29, 2005, Special Master TERRENCE A. DOLAN issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (A01), 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 29, 2005.



ROBBIN HALL
Deputy Clerk