

MAR 22 2006

DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
FILED \_\_\_\_\_

2006 MAR 20 PM 3 44

In Re SRBA ) Subcase 45-12920  
 ) (USDI/BLM)  
 Case No. 39576 )  
 ) SPECIAL MASTER REPORT  
 )

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
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In Re SRBA )  
 )  
Case No. 39576 )  
 )  
Water Right 45-12920

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NAME AND ADDRESS: UNITED STATES OF AMERICA  
USDI BUREAU OF LAND MANAGEMENT  
IDAHO STATE OFFICE  
1387 S VINNELL WAY  
BOISE, ID 83709-1657

SOURCE: UNNAMED STREAM TRIBUTARY: GOOSE CREEK

QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL  
NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 06/28/1934

POINT OF DIVERSION: T16S R21E S34 NWNENE (Instream Ending Point) Within Cassia County  
S35 LOT 3 (SESW ) (Instream Beginning Point)

PURPOSE AND

| PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|----------------|----------------|----------------|----------|
|                | Stockwater     | 01-01 TO 12-31 | 0.02 CFS |

PLACE OF USE: Stockwater Within Cassia County

|               |      |      |
|---------------|------|------|
| T16S R21E S34 | NENE |      |
| S35           | NWNW | SWNW |
|               | SESW | NESW |
| LOT 3 (SESW)  |      |      |

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR  
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL  
USE.

THE OPERATION, USE, AND ADMINISTRATION OF THIS WATER RIGHT IS  
ALSO SUBJECT TO THE TERMS AND CONDITIONS OF THE STIPULATION AND  
JOINT MOTION FOR ORDER APPROVING STIPULATION ENTERED INTO ON  
AUGUST 29, 2002 BETWEEN THE UNITED STATES OF AMERICA AND WESTERN  
STOCKGROWERS ASSOCIATION ET AL., FILED IN THE OFFICE OF THE  
CASSIA COUNTY RECORDER AND RECORDED ON JUNE 6, 2003 AS INSTRUMENT  
NO. 289179; THE PROVISIONS OF SUCH STIPULATION TO APPLY FULLY TO  
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.

**RECOMMENDATION**

MAR 20 2006

*John M. Melanson*

SPECIAL MASTER

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

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STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

CERTIFICATE OF MAILING

Water Right(s): 45-12920

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 March 20, 2006, with sufficient first-class postage prepaid to the following:

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

SCOTT BEDKE

Represented by:  
TRAVIS L THOMPSON  
113 MAIN AVE W, STE 303  
TWIN FALLS, ID 83301-6167  
Phone: 208-733-0700

UNITED STATES OF AMERICA  
USDI BUREAU OF LAND MANAGEMENT  
IDAHO STATE OFFICE  
1387 S VINNELL WAY  
BOISE, ID 83709-1657  
Phone: 208-373-4000

CERTIFICATE OF MAILING

*Robbin Hall*  
ROBBIN HALL  
Deputy Clerk

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03/20/06

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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

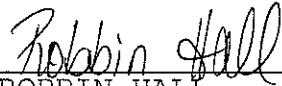
Water Right(s): 45-12920

On March 20, 2006, 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 March 20, 2006.

  
\_\_\_\_\_  
ROBBIN HALL  
Deputy Clerk