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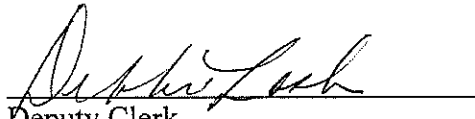
I certify that a true and correct copy of the **SPECIAL MASTER'S
RECOMMENDATION RE: MOTION TO AMEND PARTIAL DECREE**
was mailed April 12, 2006, with sufficient first class mail to the following:

IDWR
P O Box 83720
Boise, Idaho 83720-0098

State of Idaho
Office of the Attorney General
P O Box 444449
Boise Idaho 83711-4449

United State Department of Justice
550 West Fort Street, MSC 033
Boise Idaho 83724

Brian McMahan
P O Box 1066
McCall, Idaho 83638


Deputy Clerk

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

AMENDED

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
_____) Water Right 65-02943B

NAME AND ADDRESS: NANCY CUSSLER
RICHARD CUSSLER
14005 FARM TO MARKET RD
MC CALL, ID 83638

SOURCE: JUG CREEK . TRIBUTARY: LOUIE CREEK

QUANTITY: 125.00 AFY

PRIORITY DATE: 12/31/1949

POINT OF DIVERSION: T17N R04E S05 LOT 3 (NENW) Within Valley County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation from Storage	04-15 TO 10-15	125.00 AFY
	Irrigation Storage	01-01 TO 12-31	125.00 AFY

PLACE OF USE: Irrigation from Storage Within Valley County
T18N R03E S35 SWNE 16.0 SENE 33.0
49.0 Acres Total

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

BASIN 65 GENERAL PROVISIONS NO 3, THE SEPARATE STREAMS GENERAL PROVISION, DOES NOT APPLY TO APPROPRIATIONS OF WATER AFTER OCTOBER 18, 1977.

THIS WATER RIGHT SHALL BE ADMINISTERED AS BEING FROM A SEPARATE SOURCE PURSUANT TO BASIN 65 GENERAL PROVISIONS NO 3. IF THE HOLDER OF THIS RIGHT SEEKS TO CHANGE THE RIGHT PURSUANT TO IDAHO CODE SEC 42-222 OR SUCCESSOR STATUTE, NOTHING IN THIS GENERAL PROVISION SHALL PRECLUDE ANY OTHER PERSON OR ENTITY FROM DEMONSTRATING THAT SUCH CHANGE IN USE WOULD CAUSE INJURY TO ITS WATER RIGHT OR FROM RECEIVING ANY RELIEF PROVIDED BY LAW IN THE EVENT OF INJURY.

WATER EXCHANGED WITH ROSEBERRY IRRIGATION DISTRICT.

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