

DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
STATE OF IDAHO



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SRBA CHAMBERS
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

June 28, 2006

Shelley M. Davis
PO Box 2139
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Director of IDWR
PO Box 83720
Boise, ID 83720-0098

US Department of Justice
Environment & Nat'l Resources
550 West Fort Street, MSC 033
Boise, ID 83724

It has come to my attention that there was an error in the caption of the *Special Master's Report and Recommendation* issued on June 27, 2006, in subcases 45-4114 and 45-13795. The caption lists the subcases as **45-411** and 45-13795. The caption should list the subcases as **45-114** and 45-13795. The case numbers are is correctly stated everywhere else in the document.

Enclosed, please find a corrected page 1 for this document. If you have any questions, please give me a call.

Sincerely,

A handwritten signature in cursive script, appearing to read "Diana R Delaney".

Diana R Delaney
Case Administrator

Enclosure

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUN 27 2006	
By _____	Clerk
	Deputy Clerk

**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 45-4114 and 45-13795
	)	
	)	SPECIAL MASTER REPORT AND
Case No. 39576	)	RECOMMENDATION
_____	)	

Findings of Fact

45-4114

The Director of the Idaho Department of Water Resources filed his *Director's Report, Domestic & Stock, Reporting Area 10 (IDWR Basin 45)* on March 2, 1998. The Director recommended that claim 45-4114 be disallowed: "Claim incomplete." The United States filed an *Objection* in multiple subcases, including subcase 45-4114, on July 6, 1998, objecting to the claim not being recommended as claimed.

The Director filed his *Part I Director's Report for Late Claims* on April 22, 2005, and recommended claim 45-4114 to the United States of America, Department of Agriculture, Forest Service, 550 W. Fort Street, MSC 033, Boise, Idaho, 83724, for .06 cfs from springs for commercial use from November 1 to April 30 with a priority date of May 1, 1965, based on beneficial use. Earl Warthen filed an *Objection* on June 10, 2005, objecting to nearly all elements and alleging the water right should not exist

45-13795

The Director filed his *Director's Report for Irrigation and Other, Reporting Area 10, IDWR Basin 45* on September 7, 2004. The Director recommended claim 45-13795 to the United States of America, Department of Agriculture, Forest Service for .06 cfs from springs for year-'round diversion to storage, domestic, domestic storage and domestic from storage uses in