

2006 OCT 26 PM 12:39

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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	)	SPECIAL MASTER'S REPORT AND
	)	RECOMMENDATION; FINDINGS
	)	OF FACT AND CONCLUSIONS OF LAW
Case No. 39576	)	
_____	)	WATER RIGHT NOS.: EXHIBIT A

I. FINDINGS OF FACT

Claims were filed for these water rights pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources examined the water system for this reporting area. The *Director's Report* contained recommendations for the elements of these water rights. An *Objection* was filed on March 9, 2006 by the Shoshone Bannock Tribes.

The claimant, U.S.D.A. Forest Service filed a *Stipulation for Withdrawal of Claims and Objections* on September 25, 2006. A hearing was held on September 27, 2006. At the hearing, the United States explained that it intended to voluntarily dismiss its claims to the above listed water rights. The Shoshone-Bannock Tribes had no objection. Thus all parties to these subcases stipulated that these water rights not be included in any partial decree.

II. CONCLUSIONS OF LAW

Therefore, based on the file and record herein, IT IS RECOMMENDED that these water rights **not be confirmed** in any partial or final decree.

Dated October 26, 2006.



BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

EXHIBIT A

Subcase Nos:

27-04035	27-07229
27-04038	27-07231
27-04039	27-07232
27-04042	27-07234
27-04043	27-07235
27-04048	27-07237
27-04053	27-07238
27-07160	27-07240
27-07163	27-07241
27-07164	27-07242
27-07165	27-07243
27-07167	27-07244
27-07168	27-07245
27-07172	27-07246
27-07173	27-07247
27-07174	27-07249
27-07175	27-07250
27-07176	27-07251
27-07179	27-07252
27-07182	27-07254
27-07183	27-07255
27-07184	27-07256
27-07185	27-07265
27-07187	27-07266
27-07188	27-07268
27-07189	27-07269
27-07190	27-07270
27-07191	27-07271
27-07192	27-07272
27-07193	27-07273
27-07194	27-07274
27-07195	27-07275
27-07196	27-07277
27-07197	27-07278
27-07198	27-07279
27-07199	27-07280
27-07201	27-07282
27-07202	27-07295
27-07208	27-07296
27-07209	27-07297
27-07210	27-07298
27-07211	27-07312
27-07213	27-07314
27-07215	27-07403
27-07216	
27-07217	
27-07218	
27-07220	
27-07225	
27-07227	

(Subcase list: USVTRIBES)
10/26/06

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In Re SRBA

Case No. 39576

)
) SUBCASE NOS.: EXHIBIT A

)
) CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT AND RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on October 26, 2006, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
P O BOX 83720
BOISE, IDAHO 83720-0098

USDA FOREST SERVICE

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, IDAHO 83724

Janet Connell
JANET CONNELL
Deputy Clerk

EXHIBIT A

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27-07163	27-07241
27-07164	27-07242
27-07165	27-07243
27-07167	27-07244
27-07168	27-07245
27-07172	27-07246
27-07173	27-07247
27-07174	27-07249
27-07175	27-07250
27-07176	27-07251
27-07179	27-07252
27-07182	27-07254
27-07183	27-07255
27-07184	27-07256
27-07185	27-07265
27-07187	27-07266
27-07188	27-07268
27-07189	27-07269
27-07190	27-07270
27-07191	27-07271
27-07192	27-07272
27-07193	27-07273
27-07194	27-07274
27-07195	27-07275
27-07196	27-07277
27-07197	27-07278
27-07198	27-07279
27-07199	27-07280
27-07201	27-07282
27-07202	27-07295
27-07208	27-07296
27-07209	27-07297
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In Re SRBA

Case No. 39576

) SUBCASE NOS.: EXHIBIT A
)
)
)
)
)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

On October 26, 2006, Special Master BRIGETTE BILYEU issued a ***SPECIAL MASTER'S REPORT AND RECOMMENDATION*** for the above subcase(s) pursuant to ***SRBA Administrative Order 1 (AOI)***, 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 ***Amended Special Master's Report and Recommendation*** shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED October 26, 2006.



JANET CONNELL
Deputy Clerk

EXHIBIT A

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