

2006 OCT 30 PM 3:45

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

Case No. 39576

) NOTICE OF ATTENDANCE
) AT SITE VISIT

) WATER RIGHT: 31-11845
)
)
)
)
)

The State of Idaho filed a *Motion for Site Visit by the Special Master* on October 13, 2006. The *Motion* asked that the Special Master view the real property relating to water claim No. 31-11845 and to view the ditch system, soil, and land. The *Motion* was granted. See, *Order Granting Motion for Site Visit* (October 25, 2006).

On October 26, 2006 a site visit was conducted in Mud Lake, Idaho on the real property relating to claim no. 31-11845. Counsel for the State of Idaho (David J. Barber and David Stanish), counsel for claimant and objector (Michael Tribe), the Special Master (Brigette Bilyeu) and the law clerk for the SRBA (Meredith Taylor) attended the site visit.

The site visit lasted approximately 2 ½ hours. The site visit included walking on and observing the real property relating to this claim. The participants followed the agenda attached hereto as Exhibit 1. The map attached to Exhibit 1 is for reference for the site visit; however, the soil types described to the right of the *Soil Survey Map* were not discussed during the site visit. Although the parties may offer evidence at trial relating to soil types, the description of soil types at the right of the *Soil Survey Map* is not part of the evidence for this subcase.

DATED: October 30, 2006.


BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the NOTICE OF ATTENDANCE AT SITE VISIT was mailed on October 30, 2006, with sufficient first-class postage to the following:

BEN D JERNBERG
IDAHO PROPERTIES LLC
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STATE OF IDAHO
Represented by:
STATE OF IDAHO
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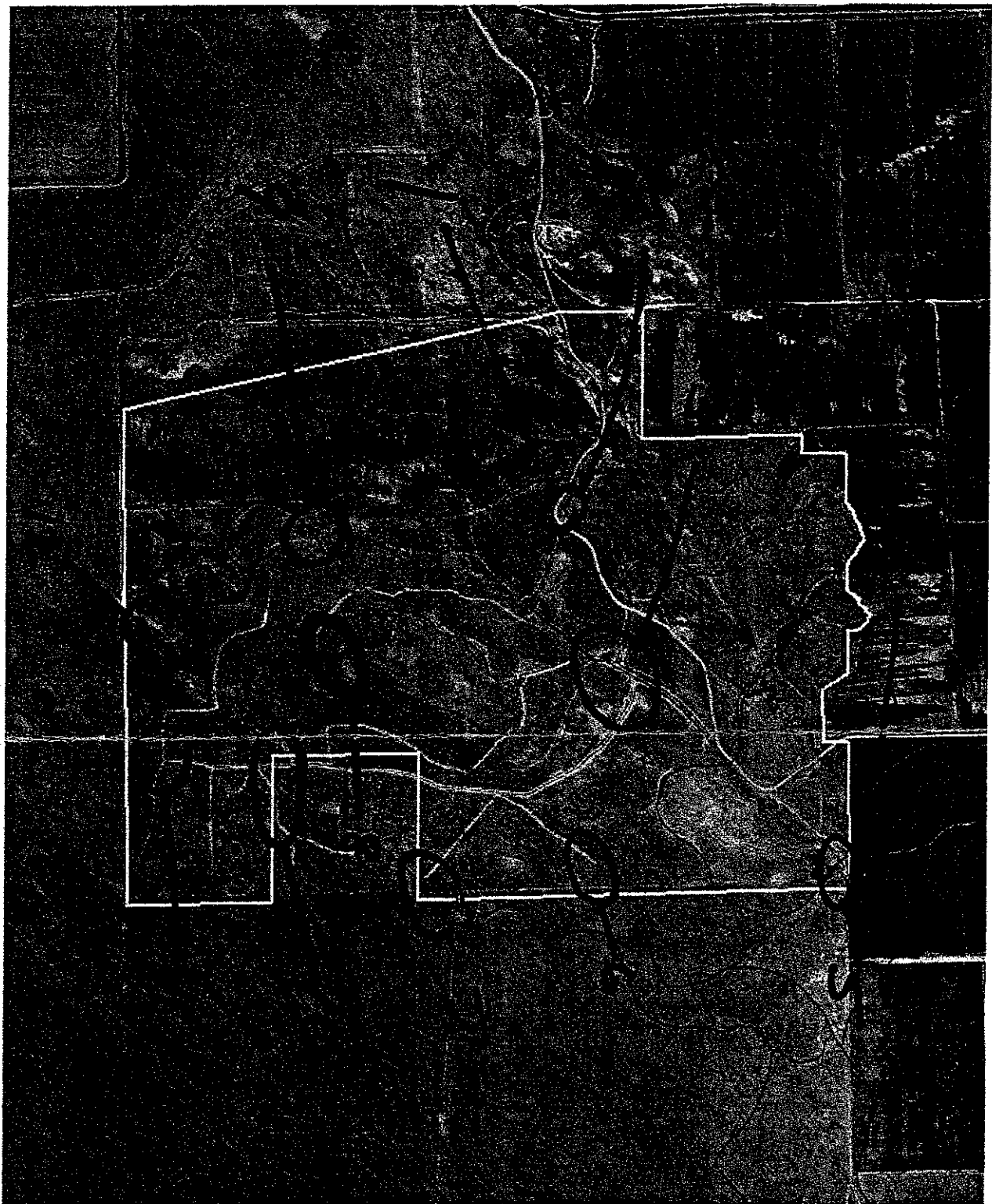
DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

Exhibit 1

DESCRIPTION OF LOCATIONS FOR COURT SITE VISIT

1. Irrigated field with wheat stubble and bare slick spots.
2. Feedlot residue north of road; ditch system south of road.
3. Ditch system.
4. Water supply wells.
5. Water supply ditch entering permissible place of use.
6. Ditch system.
7. Ditch system.
8. Ditch system; southern end of Soil Type 92 area.
9. Ditch system; change in vegetation beyond irrigation ditch.
10. Ditch system.
11. Ditch system; heavy stand of Wyoming Big Sagebrush at bottom of irrigation ditch.
12. Vegetation past irrigated field.

Soil Survey Map



Soil Type 1
Acet-Rock Outcrop Complex
Nonirrigated

Soil Type 55
Lavehon Loam
Nonirrigated

Soil Type 56
Lavehon Loam
Drained, Moderately Saline-Alkali
Nonirrigated

Soil Type 59
Lavehon Silty Clay Loam
Drained, Moderately Saline-Alkali
Nonirrigated

Soil Type 61
Udy Sandy Loam
0 to 2 Percent Slopes
Irrigated

Soil Type 82
Medano-Psammaquents Complex
Nonirrigated

Soil Type 92
Montid Silty Clay Loam
Moderately Saline-Alkali
Irrigated

Soil Type 93
Montid-Haiseon Complex
Nonirrigated

Total Acres Nonirrigated = 651.3
Total Acres Irrigated = 21.7

