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DEPARTMENT OF
WATER RESOURCES

2006 NOV -9 AM 11:46

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
Case No. 39576)
) FINDINGS OF FACT AND
) CONCLUSIONS OF LAW
)
) FOR WATER RIGHT 69-11504

I. FINDINGS OF FACT

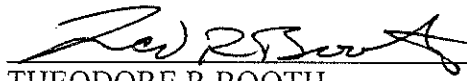
A notice of claim was filed for the above-captioned water right pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources (IDWR) examined the water system for this reporting area. The *Director's Report* contained a recommendation or abstract for the elements of this water right.

On May 24, 2006, the claimant of the water right filed an objection to the *Director's Report*. On May 25, 2006, a *Standard Form 5 – Stipulated Elements of a Water Right* was filed, which resolved the objection. The Idaho Department of Water Resources concurred in the stipulation. On May 26, 2006, the United States of America, Department Agriculture, Forest Service, filed an objection to the *Director's Report*. On October 18, 2006, the United States withdrew its objection.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein and pursuant to the *Standard Form 5*, IT IS RECOMMENDED that water right 69-11504 be **decreed** with the elements as set forth in the attached *Recommendation for Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated November 6, 2006.


THEODORE R BOOTH
Special Master
Snake River Basin Adjudication

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DEPARTMENT OF
WATER RESOURCES

In Re SRBA

Case No. 39576

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

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 69-11504

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DISTRICT COURT-SRBA
TWIN FALLS COO IDAHO
FILED

NAME AND ADDRESS: DEBORAH DAVIS
DENNIS EDWARDS
4150 LANDORE RD
COUNCIL, ID 83612

SOURCE: BEAR CREEK TRIBUTARY: WILDHORSE RIVER

QUANTITY: 0.46 CFS

The quantity of water under this right for stockwater use shall
not exceed 13,000 gallons per day.

PRIORITY DATE: 07/01/1901

POINT OF DIVERSION: T20N R03W S13 SENESE Within Adams County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	04-01 TO 10-31	0.44 CFS
Stockwater	01-01 TO 12-31	0.02 CFS

PLACE OF USE:

Irrigation		Within Adams County
T20N R03W S26	SENE 2.1	NESE 5.0
	NWSE 0.1	
7.2 Acres Total		

Stockwater		Within Adams County
T20N R03W S26	SENE	NESE
	NWSE	

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.

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

NOV -9 2006

John M. Melanson
SPECIAL MASTER

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

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In Re SRBA)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 69-11504

CERTIFICATE OF MAILING

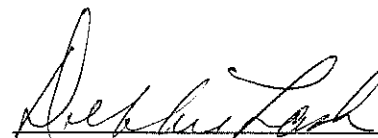
I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on November 09, 2006, with sufficient first-class postage prepaid to the following:

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

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

DEBORAH DAVIS
DENNIS EDWARDS
4150 LANDORE RD
COUNCIL, ID 83612
Phone: 208-258-4424

CERTIFICATE OF MAILING


DEBBIE LASH
Deputy Clerk

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DEPARTMENT OF
WATER RESOURCES

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)
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)
)

Water Right(s): 69-11504


DEBBIE LASH
Deputy Clerk