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DEC 01 2006

DEPARTMENT OF
WATER RESOURCES

2006 NOV 30 AM 10:46

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 AND
	)	RECOMMENDATION; FINDINGS OF
Case No. 39576	)	FACT AND CONCLUSIONS OF LAW
	)	
	)	FOR WATER RIGHT: 27-7084
_____	)	

I. FINDINGS OF FACT

A notice of claim was filed for this water right 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 a recommendation for the elements of this water right.

An *Objection* was filed by the State of Idaho, Department of Health and Welfare on March 16, 2006. The *Objection* was resolved on July 25, 2006 with the filing of a *Standard Form 5*. All parties to the subcase and IDWR are signatories to the *Standard Form 5*.

II. CONCLUSIONS OF LAW

Therefore, based on the file and record herein, IT IS RECOMMENDED that this water right be **decreed** with the elements set forth in the attached *Special Master's Recommendation for Partial Decree*.

DATED: November 30, 2006.



BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

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WATER RESOURCES

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)

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

Water Right 27-07084

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TWIN FALLS CO., IDAHO
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NAME AND ADDRESS: STATE OF IDAHO
DEPT OF HEALTH & WELFARE
STATE HOSPITAL SOUTH
450 W STATE 10TH FL
BOISE, ID 83720

SOURCE: GROUND WATER

QUANTITY: 3.11 CFS
969.50 AFY

This right when combined with all other rights shall provide no
more than 0.02 cfs per acre nor more than 3.5 afa per acre at
the field headgate for irrigation of the lands above.

PRIORITY DATE: 05/09/1977

POINT OF DIVERSION: T03S R35E S02 SWNESE Within Bingham County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	3.11 CFS 969.50 AFY

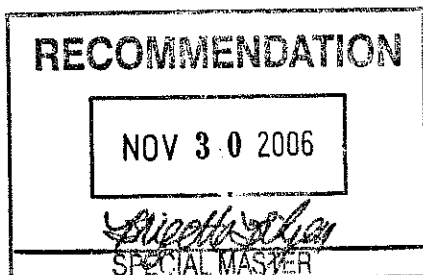
PLACE OF USE:	Irrigation	Within Bingham County
	T03S R35E S01	NWSW 38.0 SWSW 38.0
	S02	NESW 14.0 SESW 34.0
		NESE 39.0 NWSE 36.0
		SWSE 39.0 SESE 39.0
	277.0 Acres Total	

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

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

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DISTRICT CLERT-SRBA
TWINFALLS CO., IDAHO

In Re SRBA)
)
Case No. 39576)
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In Re SRBA)

CERTIFICATE OF MAILING

Case No. 39576)

Water Right(s): 27-07084

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 30, 2006, with sufficient first-class postage prepaid to the following:

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

STATE OF IDAHO

Represented by:

DAVID J. BARBER
PO BOX 44449
BOISE, ID 83711-4449
Phone: 208-334-2400

STATE OF IDAHO

DEPT OF HEALTH & WELFARE
STATE HOSPITAL SOUTH
450 W STATE 10TH FL
BOISE, ID 83720
Phone: 208-334-5537

CERTIFICATE OF MAILING

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11/30/06
JANET CONNELL
Deputy Clerk