

DISTRICT COURT - CLERK  
 JOHN ELLIS CO., BOARD  
 FILED  
 2007 FEB 12 9 11 49

In Re SRBA  
Case No. 39576

WATER RIGHT NO.: 27-11727

A 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.

## II. CONCLUSIONS OF LAW

DATED: February 12, 2007.

SPECIAL MASTER'S REPORT AND RECOMMENDATION  
G:/27MRR/4113ETAL.WTHDRWOB  
2/1/07

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

DEPARTMENT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED

In Re SRBA )  
 )  
Case No. 39576 )  
 )

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

Water Right 27-11727

2007 FEB 12 PM 11 49

NAME AND ADDRESS: RANDY HUMPHERYS  
WENDY J HUMPHERYS  
1440 N 1100 E  
SHELLEY, ID 83274

RECEIVED

FEB 13 2007

DEPARTMENT OF  
WATER RESOURCES

SOURCE: GROUND WATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 05/01/1977

POINT OF DIVERSION: T01N R37E S23 NESE Within Bingham County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Domestic       | 01-01 TO 12-31 | 0.04 CFS |

PLACE OF USE: Domestic Within Bingham County  
T01N R37E S23 NESE

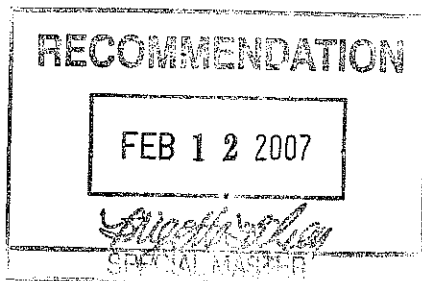
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right 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.



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

2007 FEB 12 AM 11 49

In Re SRBA  
Case No. 39576

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931327

Water Right(s) : 27-11727

On February 12, 2007, Special Master BRIGETTE BILYEU issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), 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 SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED February 12, 2007.

  
JANET CONNELL  
Deputy Clerk

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FEB 13 2007  
DEPARTMENT OF  
WATER RESOURCES

DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
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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 )

CERTIFICATE OF MAILING

Case No. 39576 )

Water Right(s): 27-11727

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 February 12, 2007, with sufficient first-class postage prepaid to the following:

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

SHOSHONE-BANNOCK TRIBES

Represented by:  
JEANETTE WOLFLEY  
SPECIAL COUNSEL  
SHOSHONE-BANNOCK TRIBE  
202 N ARTHUR  
POCATELLO, ID 83202  
Phone: 208-232-1922

STATE OF IDAHO

Represented by:  
NATURAL RESOURCES DIV CHIEF  
STATE OF IDAHO  
ATTORNEY GENERAL'S OFFICE  
PO BOX 44449  
BOISE, ID 83711-4449

CERTIFICATE OF MAILING

PAGE 1  
02/12/07

RANDY HUMPHERYS  
WENDY J HUMPHERYS  
1440 N 1100 E  
SHELLEY, ID 83274  
Phone: 208-542-6006

  
JANET CONNELL  
Deputy Clerk