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DEPARTMENT OF
WATER RESOURCES
2007 FEB 21 AM 10:49
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) Subcase 74-1847
Case No. 39576) (Wilcox)
_____) SPECIAL MASTER REPORT

Findings of Fact

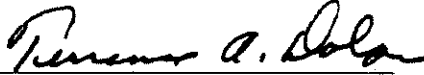
The Director of the Idaho Department of Water Resources filed his *Part I Director's Report, Reporting Area 23, IDWR Basin 74* on January 23, 2006. The Director recommended claim 74-1847 to Karla and Allan Probst for 1.12 cfs from the Lemhi River to irrigate 37.1 acres in Lemhi County from March 15 to November 15 with a priority date of May 1, 1887, based on a decree. The United States of America, Department of Interior, Bureau of Land Management filed an *Objection* on June 29, 2006, objecting to place of use.

IDWR filed a *Notice of Completed Administrative Proceeding* on January 8, 2007, for a substitution of party for the new claimants Brent and Kandice Wilcox, Trustees of the Brent L. Wilcox and Kandice J. Wilcox Family Trust, 3644 Broken Feather Drive, Norco, California, 92860. The Wilcoxes and the United States, with IDWR's concurrence, filed a *Standard Form 5* on February 12, 2007, agreeing to an amended place of use.

Conclusions of Law

The Wilcoxes are entitled to a partial decree adjudicating a water right as described in the *SF-5* and the attached *Special Master Recommendation for Partial Decree for Water Right 74-1847*.

DATED February 21, 2007.


TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

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 74-01847

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NAME AND ADDRESS: BRENT L WILCOX TRUSTEE OF THE
BRENT L/KANDICE J WILCOX
FAMILY TRUST
3644 BROKEN FEATHER DR
NORCO, CA 92860

KANDICE J WILCOX TRUSTEE OF
THE BRENT L/KANDICE J WILCOX
FAMILY TRUST
3644 BROKEN FEATHER DR
NORCO, CA 92860

SOURCE: LEMHI RIVER TRIBUTARY: SALMON RIVER

QUANTITY: 1.12 CFS

PRIORITY DATE: 05/01/1887

POINT OF DIVERSION: T19N R24E S06 SWNE Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	1.12 CFS

PLACE OF USE: Irrigation Within Lemhi County
T20N R24E S31 NWNE 8.0 SWNE 29.0
37.0 Acres Total

This right authorizes the irrigation of 37.1 total acres.
PLACE OF USE DOES NOT INCLUDE FEDERAL PUBLIC LANDS.

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.

RECOMMENDATION

FEB 21 2007

James A. Melanson
SPECIAL MASTER

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

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STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 74-01847

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 21, 2007, 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

BRENT L WILCOX TRUSTEE OF THE
BRENT L/KANDICE J WILCOX
FAMILY TRUST
3644 BROKEN FEATHER DR
NORCO, CA 92860

CERTIFICATE OF MAILING

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02/21/07

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In Re SRBA
Case No. 39576

Water Right(s) : 74-01847

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.

ROBBIN HALL
Deputy Clerk