

RECEIVED

APR 13 2007

DEPARTMENT OF
WATER RESOURCES

2007 APR 11 PM 2:24

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 74-15603
	)	(Kossler)
Case No. 39576	)	
	)	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 74-15603 to Galen and Norma Kossler, 8 Kossler Lane, Salmon, Idaho, 83467-5219, for .75 cfs from the Lemhi River to irrigate 24.8 acres in Lemhi County from March 15 to November 15 with a priority date of April 1, 1895, 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. On April 6, 2007, the Kosslers and the United States, with IDWR's concurrence, filed a *Standard Form 5* agreeing to add a remark under place of use.

Conclusions of Law

The Kosslers 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 74-15603*.

DATED April 11, 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 74-15603

2007 APR 11 PM 2:24

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: GALEN J KOSSLER
NORMA F KOSSLER
8 KOSSLER LN
SALMON, ID 83467-5219

SOURCE: LEMHI RIVER TRIBUTARY: SALMON RIVER

QUANTITY: 0.75 CFS

PRIORITY DATE: 04/01/1895

POINT OF DIVERSION: T20N R23E S25 SENE Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.75 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T20N R23E S10	SWNE 24.0
	24.8 Acres Total	SENE 0.8

PLACE OF USE DOES NOT INCLUDE FEDERAL PUBLIC LAND.

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

RECOMMENDATION

APR 11 2007


SPECIAL MASTER

2007 APR 11 PM 2:24

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

CERTIFICATE OF MAILING

Water Right(s): 74-15603

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 April 11, 2007, with sufficient first-class postage prepaid to the following:

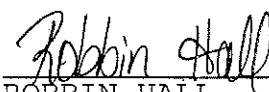
DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

UNITED STATES OF AMERICA

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

GALEN J KOSSLER
NORMA F KOSSLER
8 KOSSLER LN
SALMON, ID 83467-5219
Phone: 208-756-2029

CERTIFICATE OF MAILING


ROBBIN HALL
Deputy Clerk

PAGE 1
04/11/07

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

In Re SRBA
Case No. 39576

Water Right(s) : 74-15603

ROBBIN HALL
Deputy Clerk