

2007 APR 12 AM 10:40

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) Subcases 74-1832, 74-1833 and 74-2057
Case No. 39576) (Terry & Jessie McNellis Family Trust)
)
) SPECIAL MASTER REPORT
)
_____)

Findings of Fact

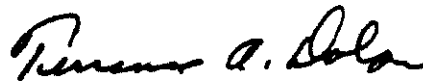
The Director of the Idaho Department of Water Resources filed his *Part I Director's Report, Reporting Area 23, IDWR Basin 74* on January 23, 2006. The Director recommended claims 74-1832 and 74-2057 to the Terry & Jessie McNellis Family Trust, P.O. Box 834, Ranch Santa Fe, California, 92029, for .26 cfs and 1.64 cfs from Reese Creek to irrigate 95 acres in Lemhi County from March 15 to November 15 with priority dates of August 22, 1913, and September 29, 1909, 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 Family Trust and the United States, with IDWR's concurrence, filed *Standard Forms 5* agreeing to add a remark under place of use. IDWR also identified 74-1833 as an uncontested overlapping claim.

Conclusions of Law

The Terry & Jessie McNellis Family Trust is entitled to partial decrees adjudicating water rights as described in the *SF-5's* and the attached *Special Master Recommendations for Partial Decrees for Water Rights 74-1832, 74-1833 and 74-2057*.

DATED April 12, 2007.



TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

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In Re SRBA) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 74-01833

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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

Case No. 39576

CERTIFICATE OF MAILING

Water Right(s): 74-01832
74-01833 74-02057

CERTIFICATE OF MAILING

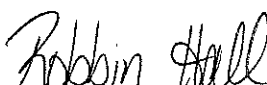
I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on April 12, 2007, with sufficient first-class postage prepaid to the following:

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

TERRY & JESSIC MC NELLIS
FAMILY TRUST
PO BOX 834
RANCHO SANTE FE, CA 92029
Phone: 619-591-4181

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

CERTIFICATE OF MAILING


ROBBIN HALL
Deputy Clerk

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CLERK OF THE COURT

In Re SRBA
Case No. 39576

Water Right(s): 74-01832
74-01833 74-02057

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