

2007 APR 17 AM 8:58

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 74-6, 74-7, 74-618, 74-619, 74-624,
Case No. 39576) 74-918, 74-2272
) (Martin)
)
_____) SPECIAL MASTER REPORT

Findings of Fact

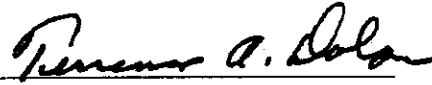
The Director of the Idaho Department of Water Resources filed his *Part I Director's Report, Reporting Area 23, IDWR Basin 74* on January 23, 2006. The Director recommended claims 74-6, 74-7, 74-619 and 74-918 to Romaldo and Janice Martin, 1192 Fallon Road, Hollister, California, 95023, for between .6 cfs and 3.4 cfs from Geertson Creek to irrigate 326 acres in Lemhi County from March 15 to November 15 with priority dates between May 1, 1881, and May 24, 1923, based on a decree.

The United States of America, Department of Interior, Bureau of Land Management filed *Objections* on June 29, 2006, objecting to place of use. On April 6, 2007, the Martins and the United States, with IDWR's concurrence, filed *Standard Forms 5* agreeing to add a remark under place of use. IDWR also identified 74-618, 74-624 and 74-2272 as uncontested overlapping claims.

Conclusions of Law

The Martins are 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 74-6, 74-7, 74-618, 74-619, 74-624, 74-918, 74-2272*.

DATED April 17, 2007.


TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

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Water Right 74-00618

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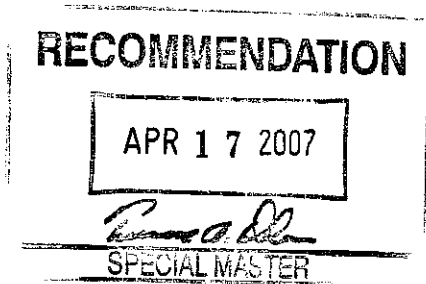
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DISTRICT COURT-SRBA
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Apr-10-2007

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

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 74-00624

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TWIN FALLS CO., IDAHO
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NAME AND ADDRESS: JANICE MARTIN
ROMALDO MARIIN
1192 FALLON RD
HOLLISTER, CA 95023

SOURCE: GEERISON CREEK TRIBUTARY: LEMHI RIVER

QUANTITY: 0.16 CFS

PRIORITY DATE: 06/01/1961

POINT OF DIVERSION: T21N R23E S04 SESE Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	0.16 CFS

PLACE OF USE: Irrigation Within Lemhi County
T21N R23E S09 NWSE 8.0
8.0 Acres total

This right authorizes the irrigation of 7.7 total acres

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 17 2007

Romaldo
SPECIAL MASTER

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TWIN FALLS CO., IDAHO
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RULE 54(b) CERTIFICATE

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RECOMMENDATION

APR 17 2007

John M. Melanson
Presiding Judge of the
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 74-02272

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TWIN FALLS CO., IDAHO
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NAME AND ADDRESS: JANICE MARIIN
ROMALDO MARIIN
1192 FALLON RD
HOLLISIER, CA 95023

SOURCE: GERRISON CREEK TRIBUTARY: LEMHI RIVER

QUANTITY: 0.54 CFS

PRIORITY DATE: 05/23/1923

POINT OF DIVERSION: I21N R23E S04 LOT 1 (NENE) Within Lemhi County
I22N R23E S34 LOT 6 (SWSE)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	0.54 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	I21N R23E S04 S09 16.0 Acres Total	SESW 1.0 NWNE 2.0 NENW 11.0

This right authorizes the irrigation of 15.6 total acres.

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 17 2007

Robert A. Melanson
SPECIAL MASTER

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

In Re SRBA)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s): 74-00006
74-00007 74-00618 74-00619
74-00624 74-00918 74-02272

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 17, 2007, with sufficient first-class postage prepaid to the following:

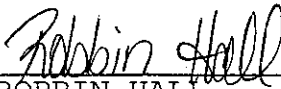
DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

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

CERTIFICATE OF MAILING

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04/17/07

JANICE MARTIN
MARTIN, ROMALDO
ROMALDO MARTIN
1192 FALLON RD
HOLLISTER, CA 95023
Phone: 831-637-7878



ROBBIN HALL
Deputy Clerk

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In Re SRBA)
Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

Water Right(s): 74-00006
74-00007 74-00618 74-00619
74-00624 74-00918 74-02272

On April 17, 2007, Special Master TERRENCE A. DOLAN 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 April 17, 2007.



ROBBIN HALL
Deputy Clerk