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DEPARTMENT OF
WATER RESOURCES

2007 APR 25 AM 10:44

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 74-2336
Case No. 39576) (Bird)
)
) 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 74-2336 to Phoebe and A. Leroy Bird, P.O. Box 27, Tendoy, Idaho, 83468, for 2.28 cfs from McDevitt Creek to irrigate 114 acres in Lemhi County from March 15 to November 15 with a priority date of August 3, 1966, 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 16, 2007, the Birds and the United States, with IDWR's concurrence, filed a *Standard Form 5* agreeing to an additional remark under place of use.

Conclusions of Law

The Birds 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 74-2336*.

DATED April 25, 2007.



TERRENCE A. DOLAN

Special Master

Snake River Basin Adjudication

2007 APR 25 AM 10:45

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): 74-02336

CERTIFICATE OF MAILING

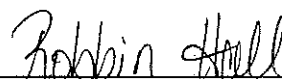
I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on April 25, 2007, with sufficient first-class postage prepaid to the following:

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

A LEROY BIRD
PHOEBE BIRD
PO BOX 27
TENDON, ID 83468
Phone: 208-756-4323

CERTIFICATE OF MAILING


ROBBIN HALL
Deputy Clerk

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04/25/07

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

In Re SRBA	)	NOTICE OF ISSUANCE OF
	)	SPECIAL MASTER'S
Case No. 39576	)	RECOMMENDATION
	)	
	)	Water Right(s): 74-02336

Robbin Hall
ROBBIN HALL
Deputy Clerk