

2007 MAY 23 AM 10:06
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 74-794, 74-7041, 74-15742 & 74-
) 15743
Case No. 39576) (Snook & USDI / BLM)
)
) **SPECIAL MASTER REPORT**
) **AND RECOMMENDATION**

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 74-7041 to Quinton and Lois Snook, 9 Quinton Lane, Salmon, Idaho, 83467, for 1.8 cfs from Haynes Creek to irrigate 90 acres in Lemhi County from April 1 to November 1 with a priority date of February 20, 1974, based on a license.

The United States of America, Department of Interior, Bureau of Land Management, Idaho State Office, 1387 S. Vinnell Way, Boise, Idaho, 83709-1657, filed an *Objection* in subcase 74-7041 on June 29, 2006, objecting to place of use. On May 10, 2007, Lois Snook and the USDI / BLM filed a *Stipulation to Resolve Objection and Standard Form 5* in subcase 74-7041 agreeing to split the water right into separate ownership (74-15742 and 74-15743), disallow the base claim and other matters concerning administrative transfer and forfeiture. IDWR identified subcase 74-794 as an uncontested overlapping claim.

Conclusions of Law

1. Lois Snook is entitled to partial decrees adjudicating water rights for claims 74-794 and 74-15742 as recommended by IDWR (74-794) and as described in the *SF-5* (74-

15742) and the attached *Special Master Recommendations for Partial Decrees for Water Rights 74-794 and 74-15742*;

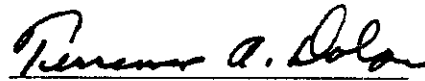
2. The USDI / BLM is entitled to a partial decree adjudicating a water right for claim 74-15743 as described in the *SF-5* and the attached *Special Master Recommendation for Partial Decree for Water Right 74-15743*; and

3 Neither party is entitled to a partial decree in subcase 74-7041 the claim having been split.

Recommendation

THEREFORE, IT IS RECOMMENDED that claim 74-7041 be **disallowed**.

DATED May 23, 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 74-00794

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DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: LOIS SNOOK
9 QUINION LN
SALMON, ID 83467

SOURCE: PRICE CREEK TRIBUTARY: HAYNES CREEK

QUANTITY: 0.40 CFS

PRIORITY DATE: 11/12/1919

POINT OF DIVERSION: 120N R23E S35 NWNW Within Lemhi County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 03-15 TO 11-15 0.40 CFS

PLACE OF USE: Irrigation Within Lemhi County
120N R23E S26 SWSE 4.0
S35 NWNE 16.0
20.0 Acres Total

This right authorizes the irrigation of 20.6 total acres.

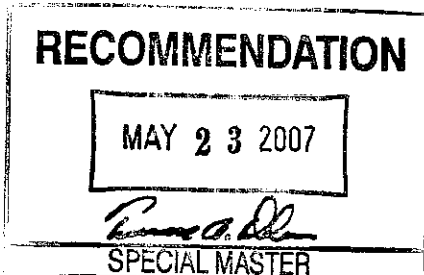
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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



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)
Water Right 74-15742

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

2007 MAY 23 AM 10:06

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: LOIS SNOOK
9 QUINION LN
SALMON, ID 83467

SOURCE: HAYNES CREEK TRIBUTARY: LEMHI RIVER

QUANTITY: 1.66 CFS
249.00 AFY

This right when combined with all other rights shall provide no
more than .02 cfs per acre nor more than 3.0 afa per acre for
irrigation of the lands above

PRIORITY DATE: 02/20/1974

POINT OF DIVERSION: 120N R23E S36 NWSW Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	1.66 CFS 249.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS REMARK
IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY
OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE
A PARTIAL DECREE IS ENTERED FOR THIS RIGHT

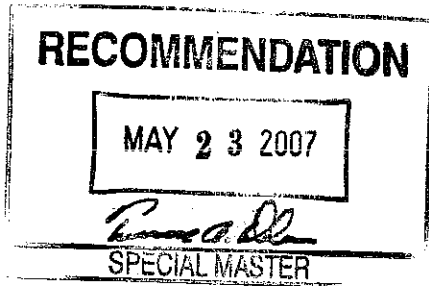
PLACE OF USE:	Irrigation	Within Lemhi County
	120N R23E S26	NESE 17.0 SESE 11.0 S35 83.0 Acres Total
		SWSE 23.0

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

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO IN AND FOR THE COUNTY OF TWIN FALLS

2007 MAY 23 AM 10:07

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

In Re SRBA)
Case No 39576)
PARTIAL DECREE PURSUANT TO
I R C P 54(b) FOR
Water Right 74-15743

NAME AND ADDRESS: UNITED STATES OF AMERICA
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE, ID 83709-1657

SOURCE: HAYNES CREEK TRIBUTARY: LEMHI RIVER

QUANTITY: 0.14 CFS
21.00 AFY

This right when combined with all other rights shall provide no
more than .02 cfs per acre nor more than 3.0 afa per acre for
irrigation of the lands above

PRIORITY DATE: 02/20/1974

POINT OF DIVERSION: T20N R23E S36 NWSW Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation		04-01 TO 11-01	0.14 CFS
			21.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED THE USE
OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS REMARK
IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY
OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE
A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

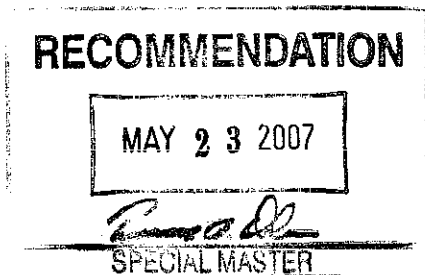
PLACE OF USE: Irrigation Within Lemhi County
T20N R23E S26 SESW 5.0
S35 NENW 2.0
7.0 Acres Total

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

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

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TWIN FALLS CO., IDAHO
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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)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s): 74-00794
74-07041 74-15742 74-15743

CERTIFICATE OF MAILING

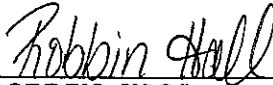
I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on May 23, 2007, with sufficient first-class postage prepaid to the following:

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

LOIS SNOOK
QUINTON SNOOK
9 QUINTON LN
SALMON, ID 83467
Phone: 208-756-2787

CERTIFICATE OF MAILING


ROBBIN HALL
Deputy Clerk

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05/23/07

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)
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Water Right(s): 74-00794
74-07041 74-15742 74-15743

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