

2007 JUN 14 PM 1:18
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 74-1582, 74-1588 and 74-1595
Case No. 39576) (Robison)
)
) 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 74-1595 to Adrian and Dorothy Robison, 6978 South, 2000 West, P.O. Box 95, Rexburg, Idaho, 83440, for 1.23 cfs from springs to irrigate 41 acres in Lemhi County from March 15 to November 15 with a priority date of November 10, 1897, based on a decree.

The United States of America, Department of Interior, Bureau of Land Management filed an *Objection* in subcase 74-1595 on June 29, 2006, objecting to place of use. On April 5, 2007, the Special Master entered an *Order Granting Motion to File Amended Notice of Claim* in subcase 74-1595 and on April 11, 2007, IDWR filed an *Amended Director's Report, Subcase No. 74-1595* recommending an amended place of use. On April 25, 2007, the Special Master entered an *Order Dismissing Objections* in subcase 74-1595 based on the United States' *Notice of Voluntary Dismissal of Objection*. IDWR identified subcases 74-1582 and 74-1588 as uncontested overlapping claims.

Conclusions of Law

The Robisons are entitled to partial decrees adjudicating water rights as recommended by IDWR and as described in the attached *Special Master Recommendations for Partial Decrees for Water Rights 74-1582, 74-1588 and 74-1595*.

DATED June 14, 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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 74-01582

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DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: ADRIAN RAND ROBISON
503 N 4000 E
RIGBY, ID 83442

DOROTHY H ROBISON
530 N 4000 E
RIGBY, ID 83442

SOURCE: LEMHI RIVER TRIBUTARY: SALMON RIVER

QUANTITY: 0.72 CFS

PRIORITY DATE: 04/01/1890

POINT OF DIVERSION: T17N R25E S33 SESE Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.72 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T17N R25E S33	NESW 6.0 SWSW 3.0
	24.0 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

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

JUN 14 2007

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 74-01588

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DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: ADRIAN RAND ROBISON
DOROTHY H ROBISON
503 N 4000 E
RIGBY, ID 83442

SOURCE: LEMHI RIVER TRIBUTARY: SALMON RIVER

QUANTITY: 0.54 CFS

PRIORITY DATE: 04/01/1890

POINT OF DIVERSION: T17N R25E S33 NESW Within Lemhi County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 03-15 TO 11-15 0.54 CFS

PLACE OF USE: Irrigation Within Lemhi County
T17N R25E S32 NESE 6.0
S33 NWSW 12.0
18.0 Acres Total

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

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

RECOMMENDATION

JUN 14 2007

[Signature]
SPECIAL AGENT

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)
) PARTIAL DECREE PURSUANT TO
Case No. 39576) I.R.C.P. 54(b) FOR
)
) Water Right 74-01595

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DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: ADRIAN RAND ROBISON
DOROTHY H ROBISON
503 N 4000 E
RIGBY, ID 83442

SOURCE: SPRINGS TRIBUTARY: LEMHI LITTLE SPRING CREEK

QUANTITY: 1.23 CFS

PRIORITY DATE: 11/10/1897

POINT OF DIVERSION: T16N R25E S04 LOT 4 (NWNW) Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	1.23 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T16N R25E S04 LOT 4 (NWNW)10.0	
	T17N R25E S33 NWSW 3.0	SWSW 28.0
	41.0 Acres Total	

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

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

RECOMMENDATION

JUN 14 2007

SPECIAL MASTER

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In Re SRBA)
)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 74-01582
74-01588 74-01595

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 June 14, 2007, with sufficient first-class postage prepaid to the following:

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

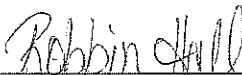
ADRIAN RAND ROBISON
Represented by:
JERRY R. RIGBY
25 N 2ND E
PO BOX 250
REXBURG, ID 83440-0250
Phone: 208-356-3633

ADRIAN RAND ROBISON
DOROTHY H ROBISON
503 N 4000 E
RIGBY, ID 83442

CERTIFICATE OF MAILING

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DOROTHY H ROBISON
530 N 4000 E
RIGBY, ID 83442



ROBBIN HALL
Deputy Clerk

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

In Re SRBA)
)
Case No. 39576)
)
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NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

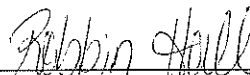
Water Right(s): 74-01582
74-01588 74-01595

On June 14, 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 June 14, 2007.



ROBBIN HALL
Deputy Clerk