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DEPARTMENT OF
WATER RESOURCES

2007 JUL 18 PM 3:04

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 03-4008B
	)	(Stewart)
Case No. 39576	)	
	)	SPECIAL MASTER REPORT
_____	)	

Findings of Fact

The Director of the Idaho Department of Water Resources filed his *Director's Report, Irrigation & Other Uses, IDWR Basin 03* on August 15, 2006. The Director recommended claim 03-4008B to Robert and Marjorie Stewart, 6960 Eagle Creek Court, Reno, Nevada, 89509, for .48 cfs from the Snake River to irrigate 24 acres in Payette County from March 1 to November 15 with a priority date of June 1, 1954, based on beneficial use.

George and Cheryl Colwell filed an *Objection* on November 1, 2006, objecting to source and point of diversion and alleging the water right should not exist. On July 16, 2007, the Stewarts and the Colwells, with IDWR's concurrence, filed a *Standard Form 5* agreeing to additional remarks under "other provisions necessary" and "explanatory material" and deletion of a remark under "explanatory material."

Conclusions of Law

The Stewarts 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 03-4008B*.

DATED July 18, 2007.



TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

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In Re SRBA

Case No. 39576

CERTIFICATE OF MAILING

Water Right(s): 03-04008B

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 July 18, 2007, with sufficient first-class postage prepaid to the following:

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

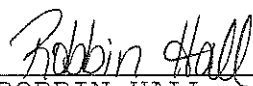
CHERYL F COLWELL
GEORGE E COLWELL
Represented by:
DANA L. HOFSTETTER
608 WEST FRANKLIN STREET
BOISE, ID 83702
Phone: 208-424-7800

JIM NEWMAN
COURTESY COPY
2415 CENTER AVE
PAYETTE, ID 83661
Phone: 208-861-1010

CERTIFICATE OF MAILING

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MARJORIE V STEWART
ROBERT L STEWART
6960 EAGLE CREEK CT
RENO, NV 89509
Phone: 775-746-4493



ROBBIN HALL
Deputy Clerk

DISTRICT CLERT-SRBA
TWIN FALLS CO., IDAHO
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In Re SRBA)
)
Case No. 39576)
)
)

Water Right(s) : 03-04008B

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.

ROBBIN HALL
Deputy Clerk