

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
SEP 26 2007	
By _____	Clerk
_____	Deputy Clerk

**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 74-1143, 74-1144 and 74-1146
	)	(Karl Tyler Chevrolet, Inc.)
Case No. 39576	)	
	)	SPECIAL MASTER REPORT
_____	)	

Findings of Fact

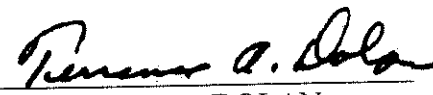
The Director of the Idaho Department of Water Resources filed his *Director's Report, Reporting Area 23, IDWR Basin 74* on January 23, 2006. The Director recommended claims 74-1143, 74-1144 and 74-1146 to Karl Tyler Chevrolet, Inc., P.O. Box 16025, Missoula, Montana, 59808, for 2.6 cfs, .53 cfs and 1.24 cfs from the Lemhi River and springs to irrigate 87 acres, 13 acres and 42 acres in Lemhi County from March 15 to November 15 with priority dates of October 23, 1889, August 7, 1894, and October 23, 1889, 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. Karl Tyler Chevrolet and the United States, with IDWR's concurrence, filed *Standard Forms 5* on September 18, 2007, agreeing to amend two places of use and include the remark: "Place of use does not include federal public lands."

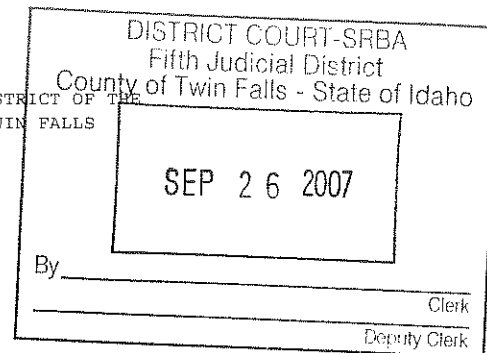
Conclusions of Law

Karl Tyler Chevrolet is entitled to partial decrees for claims 74-1143, 74-1144 and 74-1146 as described in the *SF-5's* and the attached *Special Master Recommendations for Partial Decrees for Water Rights 74-1143, 74-1144 and 74-1146*.

DATED September 26, 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 74-01143

NAME AND ADDRESS: KARL TYLER CHEVROLET INC
PO BOX 16025
MISSOULA, MT 59808

SOURCE: LEMHI RIVER TRIBUTARY: SALMON RIVER
SPRINGS TRIBUTARY: SINKS

QUANTITY: 2.60 CFS

PRIORITY DATE: 10/23/1889

POINT OF DIVERSION: T16N R26E S18 NESE Within Lemhi County
NWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	2.60 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T16N R25E S11	NENE 9.0 SENE 7.0 SESE 11.0
	S12	
	R26E S07 LOT 7	{SWSW} 9.0 LOT 9 {SWSW} 2.0
	S18	SWNE 8.0 NENW 12.0
	LOT 1	{NWNW} 3.0 SENW 17.0
		NESW 3.0 NWSE 5.0
	87.0 Acres Total	

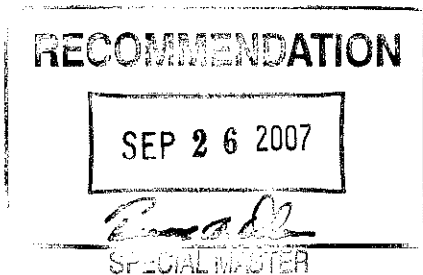
This right authorizes the irrigation of 86.6 total acres.
Place of use does not include federal public lands.

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).

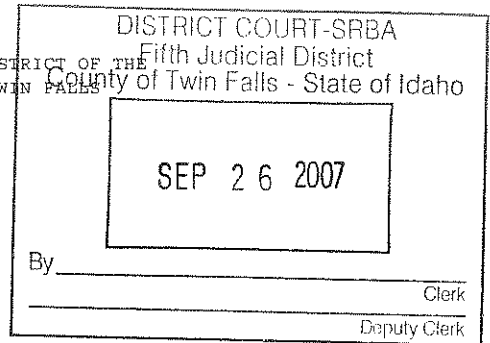
RULE 54(b) CERTIFICATE

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 74-01144

NAME AND ADDRESS: KARL TYLER CHEVROLET INC
PO BOX 16025
MISSOULA, MT 59808

SOURCE: SPRINGS TRIBUTARY: LEHMI BIG SPRING CREEK

QUANTITY: 0.53 CFS

PRIORITY DATE: 08/07/1894

POINT OF DIVERSION: T16N R26E S18 NESW Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.53 CFS

PLACE OF USE: Irrigation Within Lemhi County
T16N R25E S11 NENE 8.0 NWNE 3.0
S12 NWNW 2.0
13.0 Acres Total

This right authorizes the irrigation of 13.4 total acres.
Place of use does not include federal public lands.

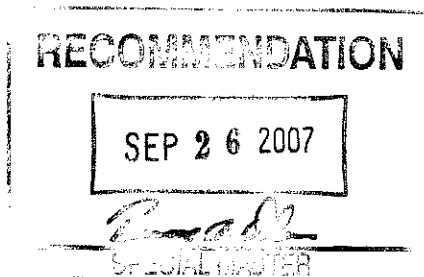
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

SEP 26 2007

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
_____) Water Right 74-01146

By _____ Clerk

Deputy Clerk

NAME AND ADDRESS: KARL TYLER CHEVROLET INC
PO BOX 16025
MISSOULA, MT 59808

SOURCE: LEMHI RIVER TRIBUTARY: SALMON RIVER

QUANTITY: 1.24 CFS

PRIORITY DATE: 10/23/1889

POINT OF DIVERSION: T16N R26E S18 SENW Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	1.24 CFS

PLACE OF USE: Irrigation Within Lemhi County

T16N R25E S12	SESE	8.0		
S13	NENE	1.0		
R26E S07 LOT 7	(SWSW)	4.0	LOT 9	(SWSW) 6.0
S18	NENW	1.0	LOT 1	(NNWN) 20.0
LOT 2	(SWNW)	2.0		
42.0 Acres Total				

This right authorizes the irrigation of 41.3 total acres.
Place of use does not include federal public lands.

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

SEP 26 2007

[Signature]
COURT CLERK

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
SEP 26 2007	
By _____	Clerk Deputy Clerk

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): 74-01143
74-01144 74-01146

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 September 26, 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

KARL TYLER CHEVROLET INC
PO BOX 16025
MISSOULA, MT 59808
Phone: 406-721-2438

CERTIFICATE OF MAILING

Robbin Hall
ROBBIN HALL
Deputy Clerk

SEP 26 2007

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

By

Clerk

Deputy Clerk

In Re SRBA
Case No. 39576

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

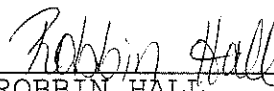
Water Right(s): 74-01143
74-01144 74-01146

On September 26, 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 September 26, 2007.


ROBBIN HALL
Deputy Clerk