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DEPARTMENT OF
WATER RESOURCES

2007 OCT 16 PM 12:09

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 74-667
	)	(Jenson)
Case No. 39576	)	
	)	AMENDED 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 claim 74-667 to Goldie and Rinaldo Jenson, 1712 Lemhi Road, Salmon, Idaho, 83467, for .03 cfs from Kenney Creek for irrigation of 1.1 acres in Lemhi County from March 15 to November 15 with a priority date of July 19, 1893, 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 September 11, 2007, Rinaldo E. Jenson and the United States, with IDWR's concurrence, filed a *Standard Form 5* agreeing to add the remark: "Place of use does not include federal public lands."

On September 13, 2007, a *Special Master Report and Recommendation* was entered, but on October 11, 2007, IDWR filed a *Notice of Completed Administrative Proceeding* for a substitution of party deleting the name Goldie F. Jenson.

Conclusions of Law

Rinaldo E. Jenson is entitled to a partial decree adjudicating a water right as described in the *NCAP* and the attached *Amended Special Master Recommendation for Partial Decree for Water Right 74-667*.

DATED October 16, 2007.

A handwritten signature in black ink, reading "Terrence A. Dolan". The signature is written in a cursive style with a horizontal line underneath it.

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 74-00667

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NAME AND ADDRESS: RINALDO E JENSON
1712 LEMHI RD
SALMON, ID 83467

SOURCE: KENNEY CREEK TRIBUTARY: LEMHI RIVER

QUANTITY: 0.03 CFS

PRIORITY DATE: 07/19/1893

POINT OF DIVERSION: T20N R24E S29 SWSW Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.03 CFS

PLACE OF USE: Irrigation Within Lemhi County
T20N R24E S31 NENE 1.1
1.1 Acres Total

Place of use does not include federal public lands.

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

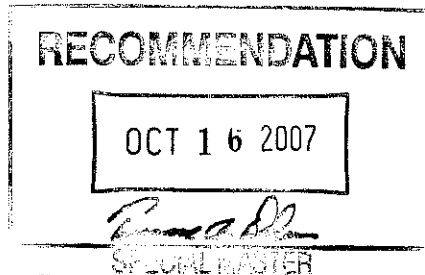
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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.

AMENDED

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



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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): 74-00667

CERTIFICATE OF MAILING

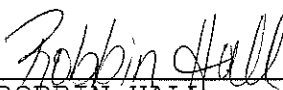
I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on October 16, 2007, with sufficient first-class postage prepaid to the following:

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

RINALDO E JENSON
1712 LEMHI RD
SALMON, ID 83467
Phone: 208-756-3341

CERTIFICATE OF MAILING


ROBBIN HALL
Deputy Clerk

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10/16/07

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TWIN FALLS CO., IDAHO

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)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

Water Right(s): 74-00667

On October 16, 2007, Special Master TERRENCE A. DOLAN issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (A01), 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 October 16, 2007.



ROBBIN HALL
Deputy Clerk