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DEC 06 2007

DEPARTMENT OF
WATER RESOURCES

2007 DEC -5 PM 1:15

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 74-51
Case No. 39576) (Foster)
)
) SPECIAL MASTER REPORT
)
_____)

Findings of Fact

On July 12, 2007, the Special Master entered an *Order Granting Motion to File Amended Claim* in subcase 74-51. IDWR filed its *Amended Director's Report, Subcase 74-51* on September 13, 2007, recommending the amended claim to Boyd and Richard Foster, P.O. Box 55, Leadore, Idaho, 83464, for 6.4 cfs from Big Timber Creek to irrigate 216.4 acres in Lemhi County from March 15 to November 15 with a priority date of June 7, 1909, based on a decree. No one objected to the *Amended Director's Report*.

Conclusions of Law

Boyd and Richard Foster are entitled to a partial decree adjudicating a water right as recommended by IDWR and as described in the attached *Special Master Recommendation for Partial Decree for Water Right 74-51*.

DATED December 5, 2007.



TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

In Re SRBA) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54 (b) FOR
Case No. 39576)
)
) Water Right 74-00051

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In Re SRBA

Case No. 39576

CERTIFICATE OF MAILING

Water Right(s): 74-00051

CERTIFICATE OF MAILING

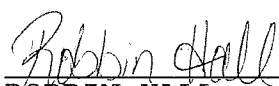
I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on December 05, 2007, with sufficient first-class postage prepaid to the following:

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

BOYD D FOSTER
RICHARD E FOSTER
PO BOX 55
LEADORE, ID 83464

RICHARD E FOSTER
28 ADAMS RANCH RD
PO BOX 55
LEADORE, ID 83464
Phone: 208-768-2506

CERTIFICATE OF MAILING


ROBBIN HALL
Deputy Clerk

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12/05/07

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Water Right (s) : 74-00051

ROBBIN HALL
Deputy Clerk