

DEC 13 2007
DEPARTMENT OF
WATER RESOURCES

2007 DEC 12 PM 2:12

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 24-10662 and 24-10663
Case No. 39576) (Alleman)
)
) SPECIAL MASTER REPORT
)
_____)

Findings of Fact

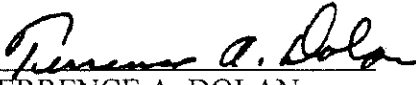
The Director of the Idaho Department of Water Resources filed his *Director's Report, Irrigation & Other Uses, Reporting Area 14, IDWR Basin 24* on November 21, 2006. The Director recommended that claims 24-10662 and 24-10663, filed by Carolyn Alleman, 1630 Lower Bern Road, Bern, Idaho, 83220, and Garth Alleman, 1616 Lower Bern Road, Bern, Idaho, 83220, be disallowed: "No beneficial use found."

The Allemans filed *Objections* on January 18, 2007, objecting to the claims not being recommended as claimed. On December 7, 2007, the Allemans, with IDWR's consent, filed *Standard Forms 5* agreeing to .48 cfs and .17 cfs from an unnamed stream to irrigate 8.6 acres and 22.1 acres and for stockwater use from April 15 to October 15 both with a priority date of May 1, 1932, based on beneficial use.

Conclusions of Law

The Allemans are entitled to partial decrees adjudicating water rights as described in the *SF-5's* and the attached *Special Master Recommendations for Partial Decrees for Water Rights 24-10662 and 24-10663*.

DATED December 12, 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 24-10662

NAME AND ADDRESS: GARTH ALLEMAN
1616 LOWER BERN RD
BERN, ID 83220

KAROLYN ALLEMAN
1630 LOWER BERN RD
BERN, ID 83220

SOURCE: UNNAMED STREAM TRIBUTARY: CROW CREEK

QUANTITY: 0.48 CFS

PRIORITY DATE: 05/01/1932

POINT OF DIVERSION: T10S R4SE S14 NWNESW Within Caribou County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-15	0.44 CFS
	Stockwater	04-15 TO 10-15	0.04 CFS

PLACE OF USE: Irrigation Within Caribou County
T10S R4SE S14 NENW 14.0 SENW 8.1
22.1 Acres Total

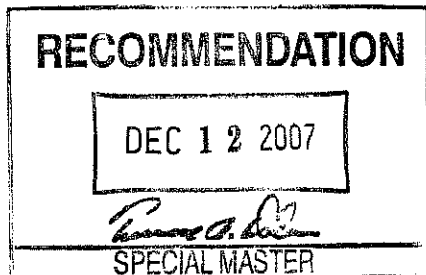
Stockwater Within Caribou County
T10S R4SE S11 SWSE
S14 NENW SENW

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)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 24-10663

NAME AND ADDRESS: GARTH ALLEMAN
1616 LOWER BERN RD
BERN, ID 83220

KAROLYN ALLEMAN
1630 LOWER BERN RD
BERN, ID 83220

SOURCE: UNNAMED STREAM TRIBUTARY: CROW CREEK

QUANTITY: 0.17 CFS

PRIORITY DATE: 05/01/1932

POINT OF DIVERSION: T10S R45E S23 NWSENE Within Caribou County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-15	0.17 CFS

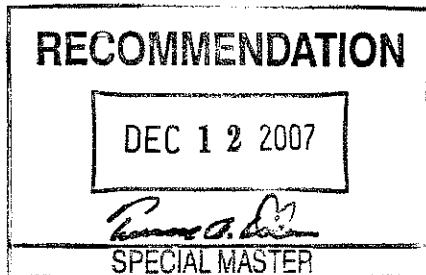
PLACE OF USE: Irrigation Within Caribou County
T10S R45E S14 NESE 3.5 SWSE 2.7
SESE 2.4
8.6 Acres Total

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

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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)

CERTIFICATE OF MAILING

Case No. 39576)

Water Right(s): 24-10662

24-10663

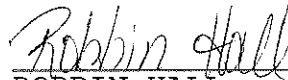
CERTIFICATE OF MAILING

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 12, 2007, with sufficient first-class postage prepaid to the following:

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

GARTH ALLEMAN
1616 LOWER BERN RD
BERN, ID 83220
Phone: 208-847-0126

KAROLYN ALLEMAN
1630 LOWER BERN RD
BERN, ID 83220
Phone: 208-847-0456


ROBBIN HALL
Deputy Clerk

CERTIFICATE OF MAILING

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DISTRICT COURT-SRBA
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

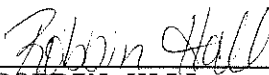
Water Right(s): 24-10662
24-10663

On December 12, 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 December 12, 2007.



ROBBIN HALL
Deputy Clerk