

RECEIVED

DEC 21 2007

DEPARTMENT OF
WATER RESOURCES

2007 DEC 20 PM 12:41

STRICT 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 01-4007
Case No. 39576) (City of Blackfoot)
)
) SPECIAL MASTER REPORT
)
_____)

Findings of Fact

The Director of the Idaho Department of Water Resources filed his *Director's Report, Irrigation & Other Uses, IDWR Lower Basin 01* on May 15, 2006. The Director recommended claim 01-4007 to the City of Blackfoot, 157 N. Broadway, Blackfoot, Idaho, 83221, for 2.8 cfs from the Snake River for diversion to storage and recreation storage in Bingham County from April 1 to October 31 with a priority date of June 1, 1962, based on beneficial use. No one objected to the recommendation.

The Special Master entered a *Special Master Report and Recommendation* in subcase 01-181C on December 5, 2007, but claim 01-4007 was inadvertently omitted after IDWR identified the claim as uncontested and overlapping with subcase 01-181C.

Conclusions of Law

The City of Blackfoot is 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 01-4007*.

DATED December 20, 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 01-04007

NAME AND ADDRESS: CITY OF BLACKFOOT
157 N BROADWAY
BLACKFOOT, ID 83221

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 2.80 CFS
464.00 AFY

PRIORITY DATE: 06/01/1962

POINT OF DIVERSION: T02S R35E S27 NESW Within Bingham County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Recreation Storage	04-01 TO 10-31	464.00 AFY
	Diversion to Storage	04-01 TO 10-31	2.80 CFS

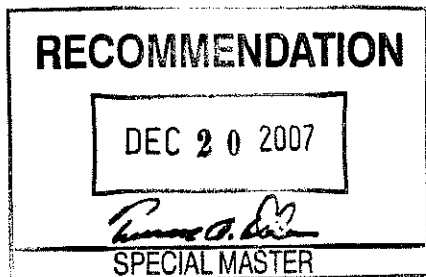
PLACE OF USE:	Recreation Storage	Within Bingham County
	T02S R35E S27 LOT 15 (SWSW)	SWSW
	SES	LOT 15 (SES)
	LOT 18 (SES)	
	S33 SENE	NESE
	LOT 10 (NESE)	
	S34 NWNW	LOT 11 (NWNW)
	LOT 6 (NWNW)	LOT 7 (SNNW)
	SNNW	LOT 11 (SNNW)
	LOT 7 (NNSW)	NNSW

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

2007 DEC 20 PM 12: 41

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)

CERTIFICATE OF MAILING

Case No. 39576)

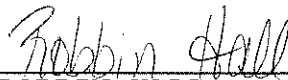
Water Right(s): 01-04007

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 20, 2007, with sufficient first-class postage prepaid to the following:

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

CITY OF BLACKFOOT
157 N BROADWAY
BLACKFOOT, ID 83221
Phone: 208-785-8688



ROBBIN HALL
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
12/20/07

2007 DEC 20 PM 12:41

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)
Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

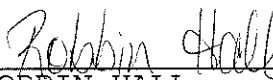
Water Right(s): 01-04007

On December 20, 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 20, 2007.



ROBBIN HALL
Deputy Clerk