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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - IDAHO
TWIN FALLS CO., IDAHO
FILED _____

2007 DEC 27 PM 1 41

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 55-2181 and 55-2210
Case No. 39576) (Jackson)
)
) SPECIAL MASTER REPORT
)
_____)

Findings of Fact

The Director of the Idaho Department of Water Resources filed his *Director's Report for Irrigation & Other Uses, Reporting Area 6 (IDWR Basin 55)* on June 30, 1998. The Director recommended claims 55-2181 and 55-2210 to Nancy and Peter Jackson, 24473 Riddle Ranch Road, Bruneau, Idaho, 83604-5512, for 895 afy and 245 afy from Squaw Creek for year-'round irrigation storage and irrigation from storage from May 1 to November 1 and April 15 to October 15 in Owyhee County with priority dates of November 7, 1959, and August 22, 1966, based on licenses.

The United States of America, Department of Interior, Bureau of Indian Affairs, "as trustee on behalf of the Shoshone-Paiute Tribes of the Duck Valley Indian Reservation," filed *Objections* on September 4, 1998. On February 16, 1999, the Tribes were granted leave to participate.

On December 20, 2006, the United States' *Objections* were dismissed with prejudice. On September 27, 2007, the Jacksons and the Shoshone-Paiute Tribes, with IDWR's concurrence, filed *Standard Forms 5* amending the places of use and remarks.

Conclusions of Law

The Jacksons 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 55-2181 and 55-2210*.

DATED December 27, 2007.

A handwritten signature in cursive script, reading "Terrence A. Dolan". The signature is written in dark ink and is positioned above a horizontal line.

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 55-02181

NAME AND ADDRESS: NANCY JACKSON
PETER JACKSON
24473 RIDDLE RANCH RD
BRUNEAU, ID 83604-5512

SOURCE: SQUAW CREEK TRIBUTARY: PAYNE CREEK

POINT OF INJECTION INTO AND POINTS OF REDIVERSION FROM PAYNE
CREEK.

QUANTITY: 895.00 AFY

FACILITY VOLUME 1140 AF.

PRIORITY DATE: 11/07/1959

POINT OF DIVERSION:	T14S R03E S08	NWSE (Injection)	Within Owyhee County
		NWSE (Rediversion)	
	S17	SESW (Rediversion)	
	S19	NENE (Rediversion)	
		SENE (Rediversion)	
	S20	NENW (Rediversion)	
		NWNW (Rediversion)	
	S21	SENW (Rediversion)	
	S22	SWNW (Rediversion)	
		SENW	
	S30	NENW (Rediversion)	
		NWNW (Rediversion)	

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation Storage	01-01 TO 12-31	895.00 AFY
	Irrigation from Storage	05-01 TO 11-01	895.00 AFY

PLACE OF USE: Irrigation Storage Within Owyhee County
Same as Irrigation from Storage

Irrigation from Storage		Within Owyhee County
T14S R02E S25	NENE 37.0	NWNE 22.0
	SWNE 33.0	SENE 40.0
	SENW 3.0	NESW 33.0
	SWSW 40.0	SESW 40.0
	NESE 40.0	NWSE 40.0
	SWSE 40.0	SESE 34.0
S36	NENE 3.0	NWNE 36.0
	SWNE 32.0	SENE 1.0
	NENW 40.0	NWNW 4.0
	SWNW 2.0	SENW 31.0
	NESW 29.0	NWSW 3.0
	SWSW 19.0	SESW 40.0
	NESE 1.0	NWSE 28.0
	SWSE 28.0	
R03E S08	SESW 9.0	NESE 3.0
	NWSE 25.0	SWSE 40.0
	SESE 17.0	
S16	NESW 35.0	NWSW 25.0
	SWSW 38.0	SESW 40.0
S17	NENE 27.0	NWNE 40.0

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

	SWNE 40.0		SENE 19.0
	NENW 39.0		NWNW 8.0
	SWNW 25.0		SENW 40.0
	NESW 40.0		NWSW 6.0
	SWSW 35.0		SESW 40.0
	NESE 5.0		NWSE 40.0
	SWSE 21.0		SESE 7.0
S18	SESE 11.0		
S19	NENE 40.0		NWNE 13.0
	SWNE 34.0		SENE 40.0
	NESW 21.0	LOT 4	(SWSW)10.0
	SESW 38.0		NESE 40.0
	NWSE 40.0		SWSE 40.0
	SESE 33.0		
S20	NENE 6.0		NWNE 40.0
	SWNE 40.0		SENE 33.0
	NENW 34.66		NWNW 40.0
	SWNW 33.14		SENW 35.35
	NESW 40.0		NWSW 39.16
	SWSW 40.0		SESW 40.0
	NESE 40.0		NWSE 40.0
	SWSE 40.0		SESE 40.0
S21	SWNE 35.0		SENE 17.0
	NENW 38.0		NWNW 34.0
	SWNW 40.0		SENW 36.0
	NESW 40.0		NWSW 40.0
	SWSW 40.0		SESW 37.0
	NWSE 10.0		SWSE 1.0
S29	NENE 28.0		NWNE 39.0
	SWNE 1.0		NENW 35.0
	NWNW 19.0		SENW 7.0
S30	NENE 5.0		NWNE 31.0
	SWNE 2.0		NENW 40.0
LOT 1	(NWNW)40.0	LOT 2	(SWNW)22.0
	SENW 7.0		
2948.31 Acres Total			

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 3080.31 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 55-02032, 55-02063, 55-02129, 55-02169, 55-02175, 55-02210 & 55-13479 - THESE ARE PAYNE CREEK & SQUAW CREEK RIGHTS.

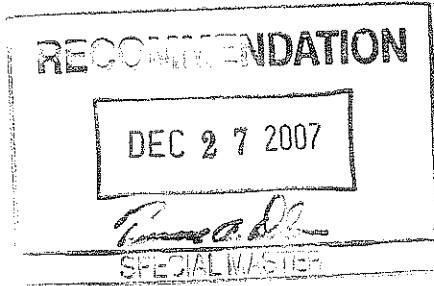
USE OF THIS RIGHT WITH RIGHT NO. 55-02210 IS LIMITED TO THE IRRIGATION OF 406 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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 55-02210.

NAME AND ADDRESS: NANCY JACKSON
PETER JACKSON
24473 RIDDLE RANCH RD
BRUNEAU, ID 83604-5122

SOURCE: SQUAW CREEK TRIBUTARY: PAYNE CREEK

POINT OF INJECTION INTO AND POINTS OF REDIVERSION FROM PAYNE
CREEK.

QUANTITY: 245.00 AFY

FACILITY VOLUME 1140 AF.

PRIORITY DATE: 08/22/1966

POINT OF DIVERSION:	T14S R03E S08	NWSE (Injection)	Within Owyhee County
		NWSE (Rediversion)	
	S17	SESW (Rediversion)	
	S19	NENE (Rediversion)	
		SENE (Rediversion)	
	S20	NENW (Rediversion)	
		NWNW (Rediversion)	
	S21	SENW (Rediversion)	
	S22	SWNW (Rediversion)	
		SENW	
	S30	NENW (Rediversion)	
		NWNW (Rediversion)	

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation Storage	01-01 TO 12-31	245.00 AFY
	Irrigation from Storage	04-15 TO 10-15	245.00 AFY

PLACE OF USE: Irrigation Storage Within Owyhee County
Same as Irrigation from Storage

Irrigation from Storage		Within Owyhee County
T14S R02E S25	NENE 37.0	NWNE 22.0
	SWNE 33.0	SENE 40.0
	SENW 3.0	NESW 33.0
	SWSW 40.0	SESW 40.0
	NESE 40.0	NWSE 40.0
	SWSE 40.0	SESE 34.0
S36	NENE 3.0	NWNE 36.0
	SWNE 32.0	SENE 1.0
	NENW 40.0	NWNW 4.0
	SWNW 2.0	SENW 31.0
	NESW 29.0	NWSW 3.0
	SWSW 19.0	SESW 40.0
	NESE 1.0	NWSE 28.0
	SWSE 28.0	
R03E S08	SESW 9.0	NESE 3.0
	NWSE 25.0	SWSE 40.0
	SESE 17.0	
S16	NESW 35.0	NWSW 25.0
	SWSW 38.0	SESW 40.0
S17	NENE 27.0	NWNE 40.0

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

	SWNE 40.0		SENE 19.0
	NENW 39.0		NWNW 8.0
	SWNW 25.0		SENE 40.0
	NESW 40.0		NWSW 6.0
	SWSW 35.0		SESW 40.0
	NESE 5.0		NWSE 40.0
	SWSE 21.0		SESE 7.0
S18	SESE 11.0		
S19	NENE 40.0		NWNE 13.0
	SWNE 34.0		SENE 40.0
	NESW 21.0	LOT 4	(SWSW) 10.0
	SESW 38.0		NESE 40.0
	NWSE 40.0		SWSE 40.0
	SESE 33.0		
S20	NENE 6.0		NWNE 40.0
	SWNE 40.0		SENE 33.0
	NENW 34.66		NWNW 40.0
	SWNW 33.14		SENE 35.35
	NESW 40.0		NWSW 39.16
	SWSW 40.0		SESW 40.0
	NESE 40.0		NWSE 40.0
	SWSE 40.0		SESE 40.0
S21	SWNE 35.0		SENE 17.0
	NENW 38.0		NWNW 34.0
	SWNW 40.0		SENE 36.0
	NESW 40.0		NWSW 40.0
	SWSW 40.0		SESW 37.0
	NWSE 10.0		SWSE 1.0
S29	NENE 28.0		NWNE 39.0
	SWNE 1.0		NENW 35.0
	NWNW 19.0		SENE 7.0
S30	NENE 5.0		NWNE 31.0
	SWNE 2.0		NENW 40.0
LOT 1	(NWNW) 40.0	LOT 2	(SWNW) 22.0
	SENE 7.0		

2948.31 Acres Total

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 3080.31 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 55-02032, 55-02063, 55-02129, 55-02169, 55-02175, 55-02181 & 55-13479 - THESE ARE PAYNE CREEK & SQUAW CREEK RIGHTS.

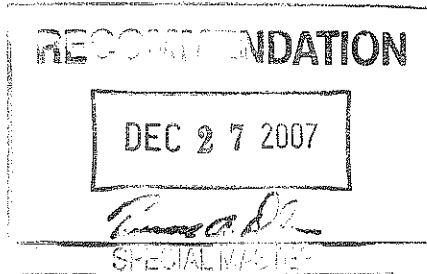
USE OF THIS RIGHT WITH RIGHT NO. 55-02181 IS LIMITED TO THE IRRIGATION OF 406 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

2007 DEC 27 PM 1 41

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): 55-02181
55-02210

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 27, 2007, with sufficient first-class postage prepaid to the following:

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

NANCY JACKSON
PETER JACKSON
Represented by:
DANIEL V. STEENSON
455 S THIRD ST
PO BOX 2773
BOISE, ID 83701-2773
Phone: 208-342-4591

CERTIFICATE OF MAILING

PAGE 1
12/27/07

SHOSHONE-PAIUTE TRIBES OF THE

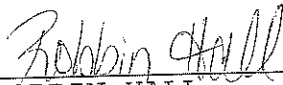
Represented by:
JEANETTE WOLFLEY
SPECIAL COUNSEL
SHOSHONE-BANNOCK TRIBE
202 N ARTHUR
POCATELLO, ID 83202
Phone: 208-232-1922

SHOSHONE-PAIUTE TRIBES OF THE

Represented by:
JEANNE S WHITEING
WHITEING & SMITH
1136 PEARL STREET, SUITE 203
BOULDER, CO 80302
Phone: 303-444-2549

USA FOR SHOSHONE-PAIUTE TRIBES

Represented by:
UNITED STATES DEPT OF JUSTICE
ENVIRONMENT & NATURAL RESOURCE
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835



ROBBIN HALL
Deputy Clerk

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

2007 DEC 27 PM 1 41

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

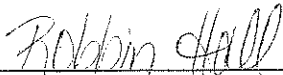
Water Right(s): 55-02181
55-02210

On December 27, 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 27, 2007.



ROBBIN HALL
Deputy Clerk