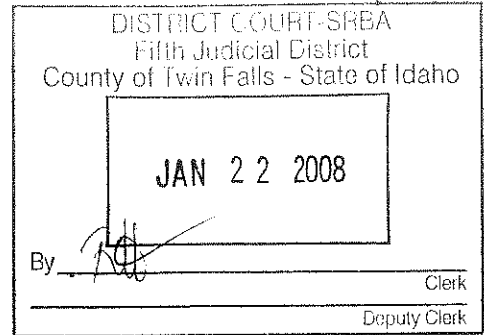




**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA) **Subcase 74-4004A**
) **(Haynes Creek Cattle & Horse Assn and**
Case No. 39576) **Idaho Department of Lands)**
)
) **SPECIAL MASTER REPORT**

Findings of Fact

The Director of the Idaho Department of Water Resources filed his *Part I Director's Report, Reporting Area 23, IDWR Basin 74* on January 23, 2006. The Director recommended the claim to Haynes Creek Cattle & Horse Association, c/o Ed Snook, 1205 Highway 28, Salmon, Idaho, 83467, for .2 cfs from springs for stockwater use in Lemhi County from May 1 to October 1 with a priority date of May 1, 1900, based on a decree.

The State of Idaho, Department of Lands, 300 N. 6th Street, P.O. Box 83720, Boise, Idaho, 83720-0050, filed an *Objection* on June 30, 2006, objecting to points of diversion and place of use. On January 16, 2008, the Association and the State, with IDWR's concurrence, filed a *Standard Form 5* agreeing to add the State as a claimant and the remark: "The ownership of water right no. 74-4004A is governed by a private agreement executed by the Idaho Department of Lands and Haynes Creek Cattle & Horse Assn."

Conclusions of Law

The Haynes Creek Cattle & Horse Association and the Idaho Department of Lands are entitled to a partial decree adjudicating a water right as described in the *SF-5* and the attached *Special Master Recommendation for Partial Decree for Water Right 74-4004A*.

DATED January 22, 2008.

A handwritten signature in dark ink, appearing to read "Terrence A. Dolan", is written over 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 74-04004A

NAME AND ADDRESS: HAYNES CREEK CATTLE &
HORSE ASSN
C/O ED SNOOK
1205 HWY 28
SALMON, ID 83467

IDAHO DEPT OF LANDS
300 N 6TH ST
PO BOX 83720
BOISE, ID 83720-0050

SOURCE: SPRINGS TRIBUTARY: KADLETZ CREEK

QUANTITY: 0.20 CFS

PRIORITY DATE: 05/01/1900

POINT OF DIVERSION: T20N R23E S22 SWSW Within Lemhi County

PURPOSE AND			
PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	05-01 TO 10-01	0.20 CFS

PLACE OF USE: Stockwater Within Lemhi County
T20N R23E S22 SWSW

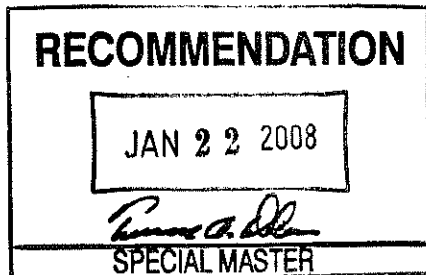
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE OWNERSHIP OF WATER RIGHT NO 74-4004A IS GOVERNED BY A
PRIVATE AGREEMENT EXECUTED BY THE IDAHO DEPARTMENT OF LANDS AND
HAYNES CREEK CATTLE & HORSE ASSN.

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 Fifth Judicial District County of Twin Falls - State of Idaho	
JAN 22 2008	
By _____	Clerk
_____	Deputy Clerk

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): 74-04004A

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 January 22, 2008, with sufficient first-class postage prepaid to the following:

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

HAYNES CREEK CATTLE &
 HORSE ASSN
 C/O ED SNOOK
 1205 HWY 28
 SALMON, ID 83467
 Phone: 208-756-2787

STATE OF IDAHO
 Represented by:
 NATURAL RESOURCES DIV CHIEF
 STATE OF IDAHO
 ATTORNEY GENERAL'S OFFICE
 PO BOX 44449
 BOISE, ID 83711-4449

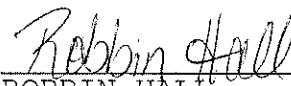
CERTIFICATE OF MAILING

PAGE 1
01/22/08

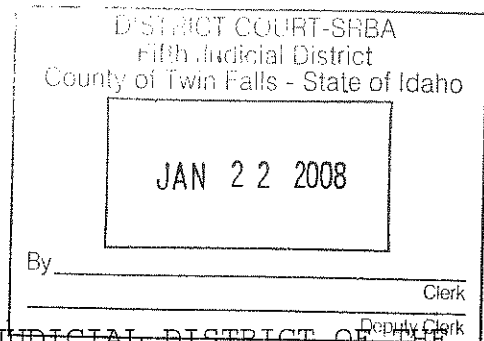
COURTESY COPY
BRUCE MULKEY
25 MULKEY LN
SALMON, ID 83467
Phone: 208-756-3378

HAYNES CREEK CATTLE
C/O ED SNOOK
1205 HWY 28
SALMON, ID 83467
Phone: 208-756-4304

IDAHO DEPT OF LANDS
300 N 6TH ST
PO BOX 83720
BOISE, ID 83720-0050



ROBBIN HALL
Deputy Clerk



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

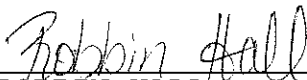
Water Right(s): 74-04004A

On January 22, 2008, 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 January 22, 2008.


ROBBIN HALL
Deputy Clerk