

RECEIVED

JAN 31 2008

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
JAN 30 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) Subcases 01-10054 and 01-10055
Case No. 39576) (Searle)
_____)
SPECIAL MASTER REPORT

Findings of Fact

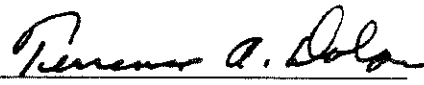
The Director of the Idaho Department of Water Resources filed his *Director's Report, Reporting Area Basin 01, IDWR Part 2* on December 19, 2006. The Director recommended the claims to Paul K. Searle, 465 East, 1200 North, Shelley, Idaho, 83274, for .68 cfs and 1 cfs from the Snake River to irrigate 74.3 acres in Bingham County from April 1 to October 31 with priority dates of June 1, 1885, and June 1, 1888, based on a decree.

Mr. Searle filed *Objections* on January 26, 2007, objecting to place of use. On January 23, 2008, Mr. Searle, with IDWR's concurrence, filed *Standard Forms 5* amending the place of use.

Conclusions of Law

Mr. Searle is 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 01-10054 and 01-10055*.

DATED January 30, 2008.


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 01-10054

NAME AND ADDRESS: PAUL K SEARLE
465 E 1200 N
SHELLEY, ID 83274

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.68 CFS

PRIORITY DATE: 06/01/1985

POINT OF DIVERSION: T02N R37e S12 NWNENW Within Bonneville County
T04N R37E S35 NENE Within Jefferson County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.68 CFS

PLACE OF USE: Irrigation Within Bingham County

T01S R36E S01 LOT 2	(NWNE) 0.3	LOT 3	(NENW) 6.1
LOT 4	(NWNW) 3.0		SWNW 20.0
	SENW 25.0		NESW 9.0
	NWSW 15.0		
78.4 Acres Total			

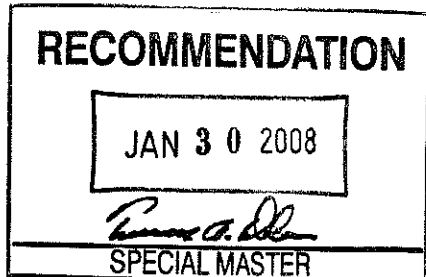
The rights listed below are limited to the irrigation of a
combined total of 78.4 acres in a single irrigation season.
Combined Right Nos.: 1-10054 and 1-10055.

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 01-10055

NAME AND ADDRESS: PAUL K SEARLE
 465 E 1200 N
 SHELLEY, ID 83274

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1.00 CFS

PRIORITY DATE: 06/01/1888

POINT OF DIVERSION: T02N R37e S12 NWNENW Within Bonneville County
 T04N R37E S35 NENE Within Jefferson County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.00 CFS

PLACE OF USE: Irrigation Within Bingham County

T01S R36E S01 LOT 2	(NWNE) 0.3	LOT 3	(NENW) 6.1
LOT 4	(NWNW) 3.0		SWNW 20.0
	SENW 25.0		NESW 9.0
	NWSW 15.0		
78.4 Acres Total			

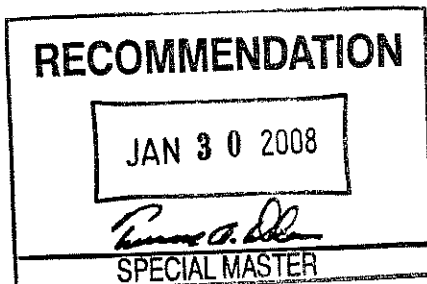
The rights listed below are limited to the irrigation of a
combined total of 78.4 acres in a single irrigation season.
Combined Right Nos.: 1-10054 and 1-10055.

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

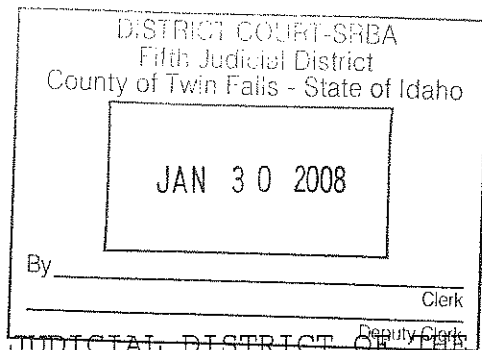
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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)
_____)

CERTIFICATE OF MAILING

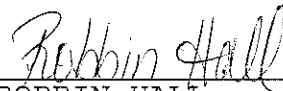
Water Right(s): 01-10054
01-10055

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 30, 2008, with sufficient first-class postage prepaid to the following:

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

PAUL K SEARLE
465 E 1200 N
SHELLEY, ID 83274
Phone: 208-357-3949



ROBBIN HALL
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
01/30/08

JAN 30 2008

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

By _____ Clerk
Deputy Clerk

In Re SRBA)
Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

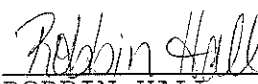
Water Right(s): 01-10054
01-10055

On January 30, 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 30, 2008.


ROBBIN HALL
Deputy Clerk