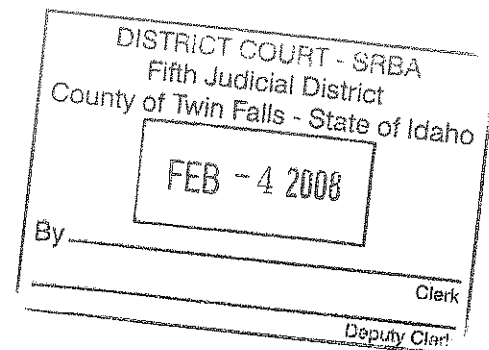


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FEB 05 2008

DEPARTMENT OF
WATER RESOURCES



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

) SPECIAL MASTER'S REPORT
)
) FINDINGS OF FACT AND
) CONCLUSIONS OF LAW
)
) FOR WATER RIGHT 77-10133
)
) ORDER VACATING STATUS
) CONFERENCE

I. FINDINGS OF FACT

A notice of claim was filed for the above-captioned water right pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources (IDWR) examined the water system for this reporting area. The *Director's Report* contained a recommendation or abstract for the elements of this water right.

Pursuant to an *Order Granting Motion to File Amended Notice of Claim; Order Requesting Supplemental or Amended Director's Report from IDWR*, the Department filed an *Amended Director's Report* on December 31, 2007. The *Amended Director's Report* was published on the Court's docket sheet in January of 2008. No objections have been filed to the *Amended Director's Report*, and the time for doing so has expired. The status conference, previously scheduled for February 12, 2008, at 11:00 AM, is **vacated**.

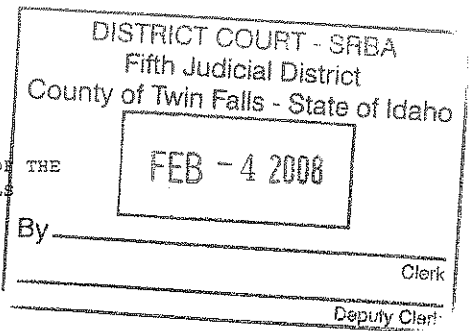
II. CONCLUSIONS OF LAW

Therefore based on the file and record herein, IT IS RECOMMENDED that water right 77-10133 be **decreed** with the elements as set forth in the attached *Recommendation for Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated Feb. 4, 2008

A handwritten signature in cursive script, appearing to read "Theodore R. Booth".

Theodore R. Booth
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 77-10133

NAME AND ADDRESS: BOBBY G JENKINS TRUST
PO BOX 6
NORTH FORK, ID 83466

SOURCE: ANDERSON GULCH TRIBUTARY: YELLOW JACKET CREEK
MEADOW CREEK TRIBUTARY: YELLOW JACKET CREEK
SLAUGHTERHOUSE GULCH TRIBUTARY: YELLOW JACKET CREEK
SPRING TRIBUTARY: YELLOW JACKET CREEK
YELLOW JACKET CREEK TRIBUTARY: MIDDLE FORK SALMON RIVER

QUANTITY: 1.05 CFS

The quantity of water under this right for domestic and
stockwater uses shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/25/1928

POINT OF DIVERSION: T19N R17E S08 NENW Within Lemhi County
NESE
NWSE
SWSE
SWSE
S17 NENW
NWNW
NWNW
NWNW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 10-31	1.01 CFS
	Stockwater	03-01 TO 11-15	0.02 CFS
	Domestic	01-01 TO 12-31	0.02 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T19N R17E S08	SESW 11.0 NESE 2.0 NWSE 9.0 SWSE 6.2
	S17	NENW 7.2 NWNW 15.0 SWNW 0.1
	50.5 Acres Total	
	Stockwater	Within Lemhi County
	T19N R17E S08	SESW NESE NWSE SWSE
	S17	NENW NWNW SWNW
	Domestic	Within Lemhi County
	T19N R17E S08	NWSE
	S17	NWNW

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

The quantity of water decreed for this water right for domestic
use and stockwater use is not a determination of historical
beneficial use.

Property is within Homestead Entry Survey No. 622.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT

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

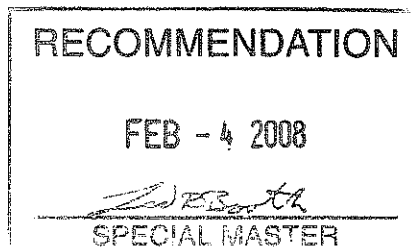
OTHER PROVISIONS (continued)

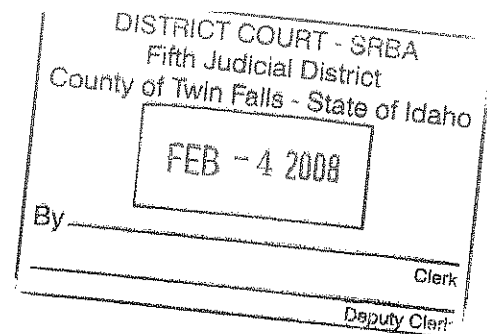
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

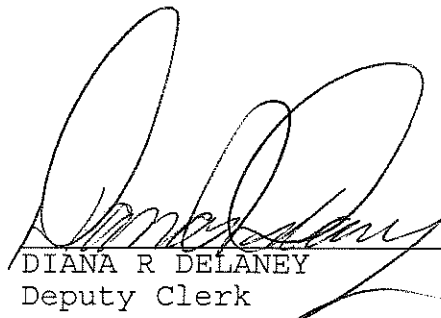
Water Right(s): 77-10133

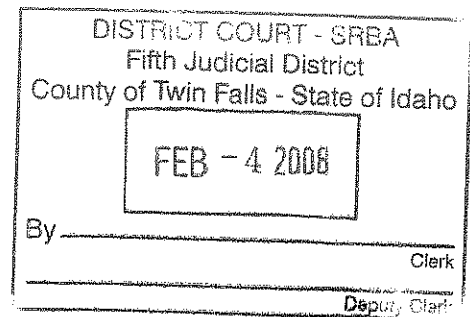
On February 04, 2008, Special Master THEODORE R. BOOTH issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

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 February 04, 2008.


DIANA R DELANEY
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): 77-10133

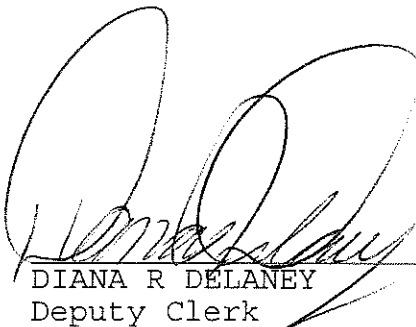
CERTIFICATE OF MAILING

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 February 04, 2008, with sufficient first-class postage prepaid to the following:

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

BOBBY G JENKINS TRUST
PO BOX 6
NORTH FORK, ID 83466
Phone: 208-865-2442

GREG GANICK
924 S PINES ROAD
SPOKANE VALLEY, WA 99206
Phone: 509-227-5526



DIANA R DELANEY
Deputy Clerk

CERTIFICATE OF MAILING

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02/04/08