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DEPARTMENT OF
WATER RESOURCES

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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	)	Subcases 74-1080 and 74-15537
	)	(Mahaffey)
Case No. 39576	)	
	)	SPECIAL MASTER REPORT
	)	AND RECOMMENDATION

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 claim 74-15537 to Velma Mahaffey, P.O. Box 14, Lemhi, Idaho, 83465, for .14 cfs from an unnamed stream for year-'round stockwater use and to irrigate 4.5 acres in Lemhi County from March 15 to November 15 with a priority date of February 12, 1875, based on a decree.

Ms. Mahaffey filed an *Objection* on March 21, 2006, objecting to point of diversion. On February 21, 2008, she was granted leave to amend her claim and on February 29, 2008, IDWR filed its *Amended Director's Report, Subcase No. 74-15537* recommended the claim be disallowed: "Right not claimed in prior adjudication." No one objected to the amended recommendation.

IDWR identified 74-1080 as an uncontested overlapping claim for .3 cfs from the Lemhi River to irrigate 9.7 acres in Lemhi County from March 15 to November 15 with a priority date of February 12, 1875, based on a decree.

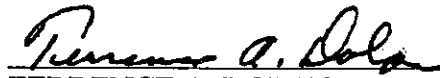
Conclusions of Law

1. Ms. Mahaffey is entitled to a partial decree adjudicating a water right for claim 74-1080 as recommended by IDWR and as described in the attached *Special Master Recommendation for Partial Decree for Water Right 74-1080*; and
2. Ms. Mahaffey is **not** entitled to a water right for claim 74-15537.

Recommendation

THEREFORE, IT IS RECOMMENDED that claim 74-15537 be **disallowed**.

DATED April 9, 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)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 74-01080

NAME AND ADDRESS: VELMA MAHAFFEY
PO BOX 14
LEMHI, ID 83465

SOURCE: LEMHI RIVER TRIBUTARY: SALMON RIVER

QUANTITY: 0.30 CFS

PRIORITY DATE: 02/12/1875

POINT OF DIVERSION: T18N R24E S33 SWNW Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.30 CFS

PLACE OF USE: Irrigation Within Lemhi County
T18N R24E S33 LOT 4 (NWNW) 1.0 SWNW 9.0
10.0 Acres Total

This right authorizes the irrigation of 9.7 total acres.

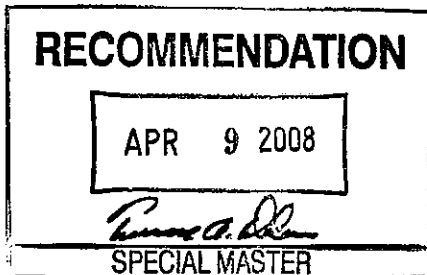
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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



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In Re SRBA)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

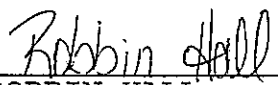
Water Right(s): 74-01080
74-15537

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 April 09, 2008, with sufficient first-class postage prepaid to the following:

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

VELMA MAHAFFEY
PO BOX 14
LEMHI, ID 83465
Phone: 208-768-2413



ROBBIN HALL
Deputy Clerk

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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
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In Re SRBA)

Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

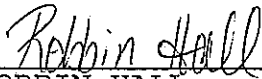
Water Right(s): 74-01080
74-15537

On April 09, 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 April 09, 2008.



ROBBIN HALL
Deputy Clerk