

RECEIVED MAY 21 PM 2:03

MAY 22 2008

DEPARTMENT OF
WATER RESOURCES

INVEST. UNIT-S. A
TWIN FALLS CO., ID. 83400
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 01-10440, 01-10445 and 01-10448
Case No. 39576) (Walker)
)
) SPECIAL MASTER REPORT
)
_____)

Findings of Fact

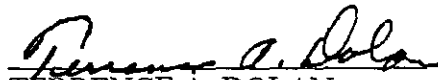
The Director of the Idaho Department of Water Resources filed his *Director's Report, Reporting Area Basin 01, IDWR Part 2* on December 19, 2006. The Director recommended the claims to Roland L. Walker, Attn: David Jensen, P.O. Box 129, Menan, Idaho, 83434-0129, for .91 cfs, .364 cfs and .39 cfs from the Snake River to irrigate 185.6 acres in Jefferson County from April 1 to October 31 with priority dates of October 11, 1901, October 1, 1901, and June 1, 1884, based on decrees.

The United States of America, Department of Interior, Bureau of Land Management filed *Objections* on April 18, 2007, objecting to place of use. On April 18, 2008, Mr. Walker and the United States, with IDWR's concurrence, filed *Standard Forms 5* agreeing to amend the place of use and add the remark: "Place of use does not include federal public lands."

Conclusions of Law

Mr. Walker 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 01-10440, 01-10445 and 01-10448*.

DATED May 21, 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 01-10440

NAME AND ADDRESS: ROLAND L WALKER
ATTN: DAVID JENSEN
PO BOX 129
MENAN, ID 83434-0129

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.91 CFS

PRIORITY DATE: 10/11/1901

POINT OF DIVERSION: T05N R38E S20 LOT 3 (SWNENW) Within Jefferson County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.91 CFS

PLACE OF USE:	Irrigation		Within Jefferson County
	T05N R37E S13	NESW 5.5	NWSW 14.0
		SWSW 31.0	
	S14	SESW 3.9	LOT 5 (SESW) 15.0
		NESE 1.5	LOT 7 (NESE) 14.0
	LOT 6	(NWSE) 5.3	NWSE 15.7
		SWSE 2.7	LOT 6 (SWSE) 37.0
		SESE 40.0	
	185.6 Acres Total		

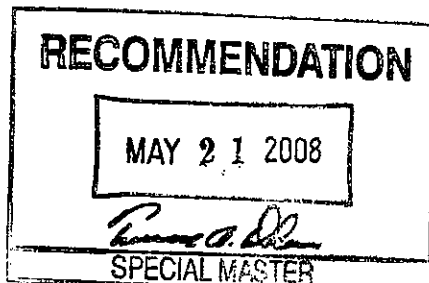
Use of the rights listed below is limited to the irrigation of a combined total of 185.6 acres in a single irrigation season.
Combined Right Nos.: 1-10440, 1-10445, and 1-10448.
Place of use does not include federal public lands.

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 01-10445

NAME AND ADDRESS: ROLAND L WALKER
ATTN: DAVID JENSEN
PO BOX 129
MENAN, ID 83434-0129

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.364 CFS

PRIORITY DATE: 10/01/1901

POINT OF DIVERSION: T05N R38E S20 LOT 3 (SWNENW) Within Jefferson County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.364 CFS

PLACE OF USE:	Irrigation		Within Jefferson County
	T05N R37E S13	NESW 5.5	NWSW 14.0
		SWSW 31.0	
	S14	SESW 3.9	LOT 5 (SESW) 15.0
		NESE 1.5	LOT 7 (NESE) 14.0
		NWSE 15.7	LOT 6 (NWSE) 5.3
		SWSE 2.7	LOT 6 (SWSE) 37.0
		SESE 40.0	
	185.6 Acres Total		

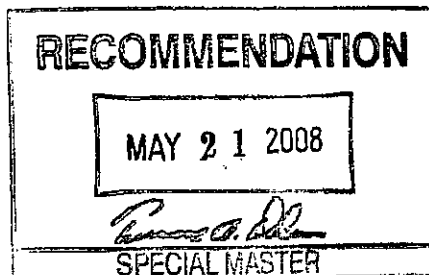
Use of the rights listed below is limited to the irrigation of a combined total of 185.6 acres in a single irrigation season.
Combined Right Nos.: 1-10440, 1-10445, and 1-10448.
Place of use does not include federal public lands.

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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 01-10448

NAME AND ADDRESS: ROLAND L WALKER
ATTN: DAVID JENSEN
PO BOX 129
MENAN, ID 83434-0129

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.39 CFS
68.30 AFY

PRIORITY DATE: 06/01/1984

POINT OF DIVERSION: T05N R38E S20 LOT 3 (SWNENW) Within Jefferson County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.39 CFS 68.30 AFY

PLACE OF USE:	Irrigation		Within Jefferson County
	T05N R37E S13	NESW 5.5	NWSW 14.0
		SWSW 31.0	
	S14	SESW 3.9	LOT 5 (SESW)15.0
		NESE 1.5	LOT 7 (NESE)14.0
		NWSE 15.7	LOT 6 (NWSE) 5.3
		SWSE 2.7	LOT 6 (SWSE)37.0
		SESE 40.0	
	185.6 Acres Total		

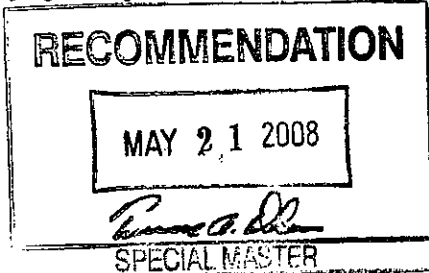
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Combined Right Nos.: 1-10440, 1-10445, and 1-10448.
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John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

2008 MAY 21 PM 2:23

DISTRICT COURT-ST. LA
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)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 01-10440
01-10445 01-10448

CERTIFICATE OF MAILING

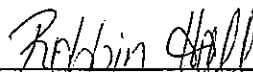
I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on May 21, 2008, with sufficient first-class postage prepaid to the following:

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

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

ROLAND L WALKER
ATTN: DAVID JENSEN
PO BOX 129
MENAN, ID 83434-0129
Phone: 208-754-4580

CERTIFICATE OF MAILING


ROBBIN HALL
Deputy Clerk

PAGE 1
05/21/08

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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)
Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

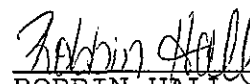
Water Right(s): 01-10440
01-10445 01-10448

On May 21, 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 May 21, 2008.



ROBBIN HALL
Deputy Clerk