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DEPARTMENT OF
WATER RESOURCES

MAY 21 PM 2:05

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) Subcase 75-4382
) (Griffith)
Case No. 39576)
) SPECIAL MASTER REPORT
)
_____)

Findings of Fact

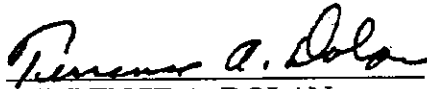
The Director of the Idaho Department of Water Resources filed his *Director's Report, Irrigation and Other Uses, Reporting Area 23, Basin 75* on January 11, 2007. The Director recommended the claim to Patrick and Pamela Mihelich for .1 cfs from the North Fork of Tower Creek to irrigate 5 acres in Lemhi County from April 1 to October 31 with a priority date of December 10, 1909, based on beneficial use.

The United States of America, Department of Interior, Bureau of Land Management filed an *Objection* on October 17, 2007, objecting to place of use. IDWR filed a *Notice of Completed Administrative Proceeding* on February 4, 2008, for a change of ownership to Joel and Willow Griffith, P.O. Box 1543, Flagstaff, Arizona, 86002. On April 16, 2008, the Griffiths and the United States, with IDWR's concurrence, filed a *Standard Form 5*, adding the phrase: "Place of use does not include federal public lands."

Conclusions of Law

The Griffiths 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 75-4382*.

DATED May 21, 2008


TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

In Re SRBA) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 75-04382

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In Re SRBA

Case No. 39576

CERTIFICATE OF MAILING

Water Right(s): 75-04382

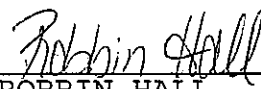
CERTIFICATE OF MAILING

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

JOEL GRIFFITH
WILLOW GRIFFITH
PO BOX 1543
FLAGSTAFF, AZ 86002


ROBBIN HALL
Deputy Clerk

CERTIFICATE OF MAILING

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2008 MAY 21 PM 2:05

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO

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

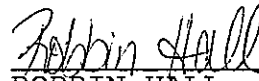
Water Right(s): 75-04382

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