

2008 JUN 12 PM 3: 50

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED OF THE

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 75-14089
Case No. 39576) (Johnson)
)
) SPECIAL MASTER REPORT
)
_____)

Findings of Fact

The Director of the Idaho Department of Water Resources filed his *Director's Report, Irrigation & Other Uses, Reporting Area 23, Basin 75* on January 11, 2007. The Director recommended the claim to Terry M. Johnson, 1010 Highway 93 North, Carmen, Idaho, 83462, for .04 cfs from a spring to irrigate 2 acres in Lemhi County from April 1 to November 1 with a priority date of May 1, 1970, based on beneficial use.

The claimant filed an *Objection* on February 7, 2007, objecting to place of use. The United States of America, Department of Interior, Bureau of Land Management filed an *Objection* on October 17, 2007, objecting to point of diversion and place of use.

IDWR filed an *Amended Director's Report* on April 3, 2008, to which no one objected. On May 29, 2008, the United States filed a *Notice of Voluntary Dismissal of Objection* based on the *Amended Director's Report* and on June 12, 2008, the Special Master entered an *Order Dismissing Objection* dismissing the United States' *Objection*.

Conclusions of Law

Terry M. Johnson is entitled to a partial decree adjudicating a water right as described in the *Amended Director's Report* and the attached *Special Master Recommendation for Partial Decree for Water Right 75-14089*.

DATED June 12, 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 75-14089

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DISTRICT CLERK-SPE
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)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

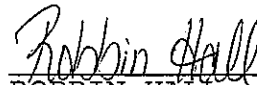
Water Right(s): 75-14089

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 June 12, 2008, with sufficient first-class postage prepaid to the following:

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

TERRY M JOHNSON
1010 HWY 93 N
CARMEN, ID 83462
Phone: 208-756-8289



ROBBIN HALL
Deputy Clerk

CERTIFICATE OF MAILING

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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

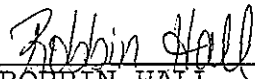
Water Right(s): 75-14089

On June 12, 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 June 12, 2008.


ROBBIN HALL
Deputy Clerk