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JUL 25 2008

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUL 24 2008	
By _____	Clerk
_____	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

) SPECIAL MASTER'S REPORT
)
) FINDINGS OF FACT AND
) CONCLUSIONS OF LAW
)
) FOR WATER RIGHTS 67-14790
) and 67-14791

I. FINDINGS OF FACT

Notices of claim were filed for the above-captioned water rights 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 these water rights.

On August 8, 2007, the claimant of water right 67-14790, David Robidoux, filed an objection to the *Director's Report*, objecting to the priority date of the recommendation. In connection with the filing of an amended notice of claim, IDWR filed an *Amended Director's Report* on November 15, 2007, which recommended the priority date asserted by Mr. Robidoux.

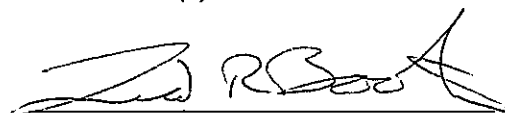
Water right claim 67-14791 was identified by IDWR an uncontested water right that may be affected by the outcome of a contested matter.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein, IT IS RECOMMENDED that water rights 67-14790 and 67-14791 be decreed with the elements as set forth in the attached

Recommendations for Partial Decrees Pursuant to I.R.C.P. 54(b).

Dated July 24, 2008



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

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho
JUL 24 2008
By _____ Clerk
Deputy Clerk

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 67-14790

NAME AND ADDRESS: DAVID F ROBIDOUX
1827 DEER CREEK RD
WEISER, ID 83672

SOURCE: DEER CREEK TRIBUTARY: MANN CREEK
SPRINGS TRIBUTARY: DEER CREEK

QUANTITY: 0.25 CFS

PRIORITY DATE: 06/01/1898

POINT OF DIVERSION: T13N R05W S36 SENWSE Within Washington County
SNNWSE
NWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	0.20 CFS
	Stockwater	01-01 TO 12-31	0.01 CFS
	Domestic	01-01 TO 12-31	0.04 CFS

PLACE OF USE:	Location	Area	County
Irrigation	T13N R05W S36	NWSE 1.5	Within Washington County
	10.0 Acres Total		SWSE 8.5
Stockwater	T13N R05W S36	NWSE	Within Washington County
Domestic	T13N R05W S36	NWSE	Within Washington County

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).

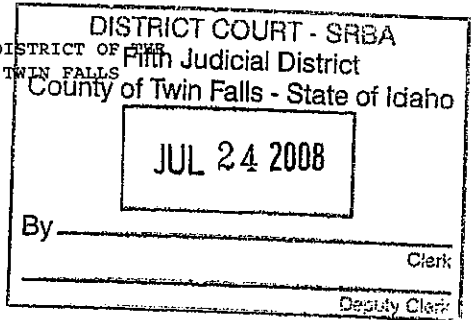
RULE 54(b) CERTIFICATE

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

RECOMMENDATION
JUL 24 2008
<i>John M. Melanson</i>
SPECIAL MASTER

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 67-14791

NAME AND ADDRESS: MARK SANDS
1840 DEER CREEK RD
WEISER, ID 83672-5558

SOURCE: SPRING TRIBUTARY: DEER CREEK

QUANTITY: 0.01 CFS

The quantity of water under this right shall not exceed 13,000
gallons per day.

PRIORITY DATE: 01/27/1904

POINT OF DIVERSION: T13N R05W S36 NENWSE Within Washington County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.01 CFS

PLACE OF USE: Stockwater Within Washington County
T13N R05W S36 NWSE

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

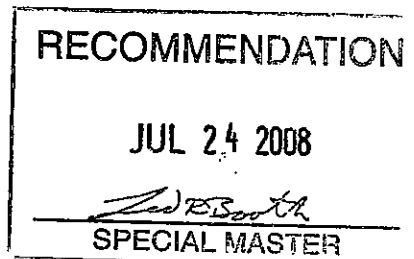
The quantity of water decreed for this water right is not a
determination of historical beneficial use.

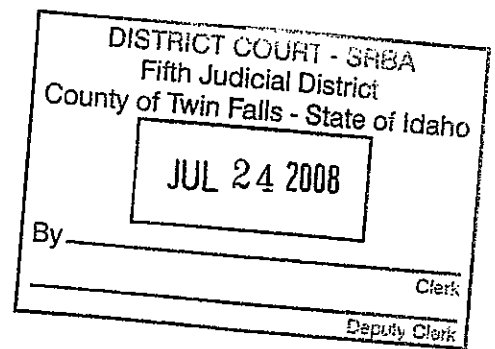
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judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

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

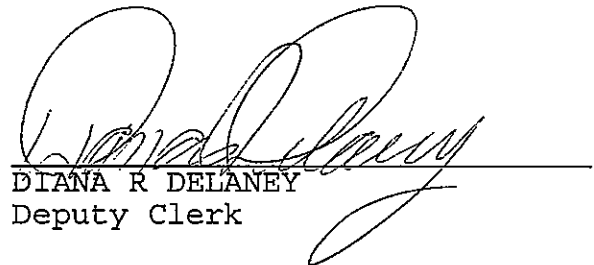
Water Right(s): 67-14790
67-14791

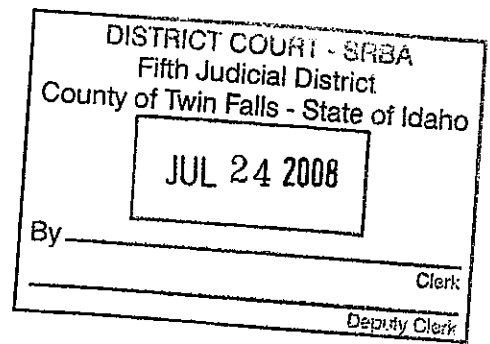
On July 24, 2008, Special Master JOHN M MELANSON issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

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 July 24, 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) : 67-14790
67-14791

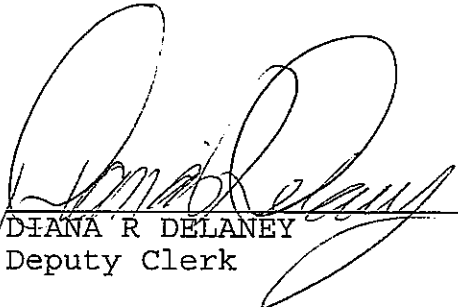
CERTIFICATE OF MAILING

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 July 24, 2008, with sufficient first-class postage prepaid to the following:

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

DAVID F ROBIDOUX
1827 DEER CREEK RD
WEISER, ID 83672
Phone: 208-549-0619

MARK SANDS
1840 DEER CREEK RD
WEISER, ID 83672-5558
Phone: 208-549-2545



DIANA R DELANEY
Deputy Clerk

CERTIFICATE OF MAILING

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07/23/08