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DEPARTMENT OF  
WATER RESOURCES

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 02-2384  
Case No. 39576 ) (Parkinson)  
 )  
 ) 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 Basin 02* on December 29, 2006. The Director recommended the claim to Joseph L. Parkinson, 123 W. Highland View Drive, Boise, Idaho, 83702, for 8.29 cfs from the Snake River for year-'round aesthetic and wildlife uses and to irrigate 424 acres in Owyhee County from March 1 to November 15 with a priority date of January 20, 1966, based on a license.

The United States of America, Department of Interior, Bureau of Land Management filed an *Objection* on December 5, 2007, objecting to place of use. On June 17, 2008, IDWR filed a *Notice of Completed Administrative Proceeding* for change in place of use. Based on the *NCAP*, the United States filed a *Notice of Voluntary Dismissal of Objection* on July 9, 2008, and on July 15, 2008, the Special Master entered an *Order Dismissing Objection*.

**Conclusions of Law**

Mr. Parkinson is entitled to a partial decree adjudicating a water right as described in the *NCAP* and the attached *Special Master Recommendation for Partial Decree for Water Right 02-2384*.

DATED July 30, 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  
Case No. 39576 ) I.R.C.P. 54(b) FOR  
                  ) Water Right 02-02384

NAME AND ADDRESS: JOSEPH L PARKINSON  
123 W HIGHLAND VIEW DR  
BOISE, ID 83702

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 8.29 CFS

Rights 2-2384, 57-7186 and 57-7222 when combined shall not exceed a total annual maximum diversion volume of 1953.0 af. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 01/20/1966

POINT OF DIVERSION: T04S R02E S15 LOT 5 (SESW ) Within Owyhee County

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|----------------------------|----------------|----------------|----------|
|                            | Irrigation     | 03-15 TO 11-15 | 8.11 CFS |
|                            | Wildlife       | 01-01 TO 12-31 | 0.18 CFS |
|                            | Aesthetic      | 01-01 TO 12-31 | 0.18 CFS |

The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

| PLACE OF USE: | Irrigation        |            | Within Owyhee County |
|---------------|-------------------|------------|----------------------|
|               | T04S R02E S15     | NESW 17.2  | SWSW 37.0            |
|               | LOT 5             | (SESW)12.6 | LOT 2 (NWSE)26.4     |
|               | S16               | SWNE 13.2  | SENE 0.2             |
|               |                   | SWNW 40.0  | SENW 35.2            |
|               |                   | NESW 37.3  | NWSW 30.3            |
|               |                   | SWSW 14.8  | SESW 1.9             |
|               |                   | NESE 37.7  | NWSE 39.1            |
|               |                   | SWSE 25.1  | SESE 26.0            |
|               | S21               | NWNE 24.7  | SWNE 5.3             |
|               | 424.0 Acres Total |            |                      |
|               | Wildlife          |            | Within Owyhee County |
|               | T04S R02E S15     | NESW       |                      |
|               | Aesthetic         |            | Within Owyhee County |
|               | T04S R02E S15     | NESW       |                      |

Place of use includes lands within the area served by the Grand View Irrigation District.  
Rights 2-2384, 57-7186 and 57-7222 when combined shall not exceed the irrigation of 424 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

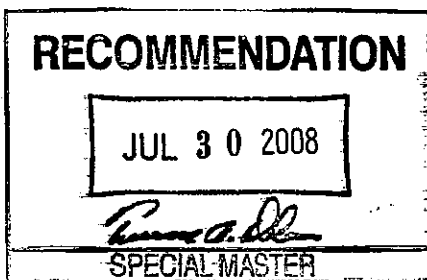
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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.



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John M. Melanson  
Presiding Judge of the  
Snake River Basin Adjudication

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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

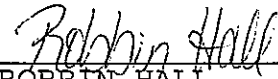
Water Right(s): 02-02384

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 30, 2008, with sufficient first-class postage prepaid to the following:

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

JOSEPH L PARKINSON  
123 W HIGHLAND VIEW DR  
BOISE, ID 83702  
Phone: 208-342-5827

  
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

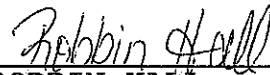
Water Right(s): 02-02384

On July 30, 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 July 30, 2008.

  
\_\_\_\_\_  
ROBBIN HALL  
Deputy Clerk