

AUG 21 2008

2008 AUG 20 AM 10:32

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

In Re SRBA) **Subcase 75-11604**
) **(Sheep Creek Placer)**
Case No. 39576)
) **SPECIAL MASTER REPORT**
)

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 Sheep Creek Placer, 1629 Hislop Drive, Ogden, Utah, 84404-5317, for .02 cfs from North Fork Sheep Creek for domestic and stockwater uses in Lemhi County from June 1 to November 15 with a priority date of April 18, 1939, based on beneficial use.

The United States of America, Department of Agriculture, Forest Service filed an *Objection* on October 17, 2007, objecting to purpose of use. The claimant and the United States, with IDWR's concurrence, filed a *Standard Form 5* on July 30, 2008, agreeing to add the remarks:

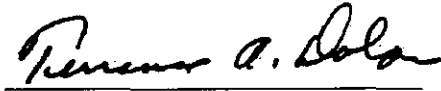
The point of diversion and place of use for this water right are on National Forest System land, an unpatented mining claim known as the Little Sheep Creek Placer, IMC57890.

This water right is only for use on the Little Sheep Creek Placer Mining claim as authorized under state and federal law.

Conclusions of Law

SPECIAL MASTER REPORT
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DATED August 20, 2008.

A handwritten signature in black ink, reading "Terrence A. Dolan". The signature is written in a cursive style with a large initial 'T' and a stylized 'D'.

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)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 75-11604

NAME AND ADDRESS: SHEEP CREEK PLACER
1629 HISLOP DR
OGDEN, UT 84404-5317

SOURCE: NORTH FORK SHEEP CREEK TRIBUTARY: NORTH FORK SALMON RIVER

QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 04/08/1939

POINT OF DIVERSION: T25N R22E S14 SWSE Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	06-01 TO 11-15	0.02 CFS
	Domestic	06-01 TO 11-15	0.02 CFS

PLACE OF USE: Stockwater Within Lemhi County
Same as Domestic

Domestic Within Lemhi County
T25N R22E S14 SWSE

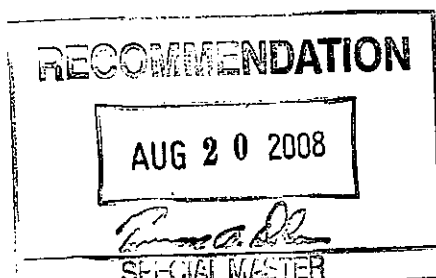
THE POINT OF DIVERSION AND PLACE OF USE FOR THIS WATER RIGHT ARE
ON NATIONAL FOREST SYSTEM LAND, AN UNPATENTED MINING CLAIM
KNOWN AS THE LITTLE SHEEP CREEK PLACER, IMC57890.

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.
THIS WATER RIGHT IS ONLY FOR USE ON THE LITTLE SHEEP CREEK
PLACER MINING CLAIM AS AUTHORIZED UNDER STATE AND FEDERAL LAW.
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

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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): 75-11604

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 August 20, 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

SHEEP CREEK PLACER
1629 HISLOP DR
OGDEN, UT 84404-5317
Phone: 801-394-6264

CERTIFICATE OF MAILING

Robbin Hall
ROBBIN HALL
Deputy Clerk

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08/20/08

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FILED THE

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
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In Re SRBA)
Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

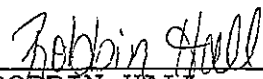
Water Right(s): 75-11604

On August 20, 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 August 20, 2008.



ROBBIN HALL
Deputy Clerk