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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

CIVIL CASE NUMBER: 39576

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER
FROM THE SNAKE RIVER BASIN WATER SYSTEM

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE AND FEDERAL LAW

A57-11210

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT.
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE ID 83706
TELEPHONE: 208-334-1401

PRIORITY DATE: 1926-04-17
IDWR WATER RIGHT NO. 5701580280
BLM NUMBER: 5701580280
BASIS OF CLAIM: FEDERAL RESERVED RIGHT
BASIN NO.: 57

SOURCE	TRIBUTARY TO
----- SPRING	----- SINKS

DESCRIPTION OF DIVERSION WORKS

UNDEVELOPED SPRING

PURPOSE OF USE	DIVERSION RATE	DIVERSION VOLUME	PERIOD OF USE FROM	TO
-----	-----	-----	-----	-----
STOCKWATER	0.140	0.00	0101	1231
TOTAL:	0.140 CFS	0.00 AF		

NON-IRRIGATION USES

S/531 RANGE CATTLE

POINT OF DIVERSION							
TWP	RNG	SEC	TRACT1	TRACT2	TRACT3	LOT	COUNTY
---	---	---	---	---	---	---	---
06S	02W	14		NE	SW	0	OWYHEE

MICROFILMED

OCT 07 1992

PLACE OF USE								OWNED	IRRIGATED ACRES
TWP	RNG	SEC	TRACT1	TRACT2	LOT	COUNTY			
---	---	---	---	---	---	---	---	---	
06S	02W	14	NE	SW	0	OWYHEE	YES	0.0	

TOTAL ACRES IRRIGATED: 0.0

TOTAL CONSUMPTIVE USE IS: DE MINIMUS ACRE FEET PER ANNUM

BLM NUMBER: 5701580280

PAGE 2

OTHER WATER RIGHTS

STATE LICENSE [PREVIOUSLY] OBTAINED ON THIS WATER, SEE REMARKS.

REMARKS

LICENSE 57-2357

MICROFILMED
OCT 07 1992

RECEIVED

JUL - 6 1999

Department of Water Resources
Adjudication Bureau

1999 JUN 28 AM 10:11

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

Case No. 39576

ORDER OF PARTIAL DECREE

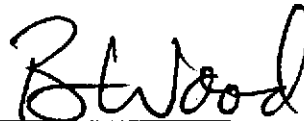
For Water Right 57-11210

On April 12, 1999, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 57-11210 is hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED JUN 28 1999



BARRY WOOD
Administrative District Judge
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)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 57-11210

1999 JUN 28 AM 10:11

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME AND ADDRESS: USDI BLM
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE, ID 83706

SOURCE: SPRING TRIBUTARY: SINKS

QUANTITY: 0.02 CFS

PRIORITY DATE: 04/17/1926

LOCATION INSTREAM FLOW: T06S R02W S14 NWSW Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.02 CFS

PLACE OF USE: Stockwater Within Owyhee County
T06S R02W S14 NWSW

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.



Barry Wood
Administrative District Judge
Interim Presiding Judge of the
Snake River Basin Adjudication

1999 JUN 28 PM 02:00
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)
)
Case No. 39576)

)

CERTIFICATE OF MAILING

Water Right(s): 57-11210

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 57-11210 was mailed
on June 28, 1999, with sufficient first-class postage prepaid
to the following:

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

STATE OF IDAHO
Represented by:
CLIVE STRONG
NATURAL RESOURCES
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720-0010
Phone: 208-334-2400

STATE OF IDAHO
Represented by:
PETER J. AMPE
PO BOX 83720
BOISE, ID 83720-0010
Phone: 208-334-2400

CERTIFICATE OF MAILING

PAGE 1
06/28/99

57-11210

4-17-97 PWR 107 claim stayed

22-141 50 SHEETS
22-142 100 SHEETS
22-144 200 SHEETS



**SETTLEMENT NOTES
FEDERAL CLAIMS**

7/20/93

Meeting Participants: Don Josse and Jean Fend from BLM; Don Shaff and Jan Shurte from IDWR; initially Daria Zane from DOJ, Jeff Runkle from BLM and Dan Steckel from IDWR.

These are notes from settlement discussions and review of evidence relative to legal descriptions as to each specific claim to water right. The claim number precedes the agreed results. The following abbreviations are used: P/D = Point of Diversion; P/U = Place of Use; S/B = should be; / = Tributary To in source tributaries matters.

- 57-01044 Curtis Spring - ok to change P/D, P/U to SENE to match 57-07364.
- 57-11304 & A Leave at the NENE like 57-01044 was proposed. Source S/B Spring/Salmon Creek.
- 57-04085 Has a 1-13-65 priority and 57-01044 has a 8-1-65 priority? IDWR and BLM agreeable as to recommendations for Curtis Spring with changes noted above.
- 57-01050 Wants to change pu and add one 1/4, 1/4. Question on if two pu's or not per Pat Kane at BLM. Ok on pu, and per project file reviewed. #502 project file #. P/D S/B SENESE. POU in each allotment, one on each side of fence: NESE, SESE. Macks Creek Spring on Rooster Comb Peak Prov. Ed. 1990.
- 57-02352 Change tributary source - ok per topo map.
- 57-02353 As recommended, is same as change wanted - still? or adding wildlife, variable amounts. Separate legal issue.
- 57-02357 Two springs adjacent but in different 40's. Lower Spring with 57-07415 as set in response. Upper Spring is 57-11210; legal S/B changed as Obj. states. Change to (NWSWSW) same as 57-07415 which is ok as is. (Charity Springs) Toy Pass Prov. Ed. 1990 and BLM notes on map.
- 57-11034 Ok to be disallowed - recommended as 57-02357. NOTE: 57-11034A, fed. reserved it. No changes.
- 57-11210 Ok to change to NWSW S14 6S 2W from NESW for objection. (Upper Spring close to and above, but not Charity Spring) Toy Pass Topo. Prov. Ed. 1990
- 57-02359 D-permit - SWSE S35, ok to change to same as D-permit, reference made to change to SESE in our review (per location on map by our

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re the General Adjudication
of Rights to the Use of Water
from the Snake River Basin
Water System

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as Director
of the Idaho Department of
Water Resources,

Petitioner,

vs.

The United States; the State
of Idaho; and all Claimants to
the use of water from the Snake
River Basin Water System,

Respondents.

Case No. 57-11210
(You must insert the
water right number you
are objecting to)

OBJECTION

RECEIVED

FEB 26 1998

Department of Water Resources
Regulation Bureau

INSTRUCTIONS

This form must be used to file an objection to any water right recommended in the Director's Report. You may object to one water right per objection form. The water right number you are objecting to must be indicated above in the blank space following "Case No." To object to more than one water right, you must file a separate objection form for each. Forms may be obtained from the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form, as long as it is identical to the court's form. You must file your objection by the deadline shown in the notice that IDWR mailed to you. The objection must be received by the court on or before the deadline specified. Instructions for mailing this objection are found at Page 6, and must be strictly followed.

Any party physically filing 25 (twenty-five) or more objections must make an appointment with the Clerk of the Adjudication Court and arrange for an appointment to file multiple objections.

(Over)

By filing an objection form, you are certifying that the objection is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and that it is not filed for any improper purpose, such as to harass, cause unnecessary delay or needless increase in the cost of litigation.

I. GENERAL INFORMATION

Please fill in the following information:

1. Person objecting: United States of America
Bureau of Land Management
Name: U.S. Department of the Interior
Address: 3380 Americana Terrace
Boise, Idaho 83706

Briefly describe your interest in this water right:

The United States, through the Bureau of
Land Management, has a valid water right
which requires specific corrections or
additions to the previous filing.

2. Owner of the water right: United States of America
U.S. Department of Interior
Name: Bureau of Land Management
Address: 3380 Americana Terrace
Boise, Idaho 83706

3. If this objection is filed by an attorney:
K. Jack Haugrud
Attorney Name: Daria J. Zane
U. S. Department of Justice
Attorney Address: 500 West Fort Street
P.O. Box 33
Boise, Idaho 83734
Attorney Phone No.: 202-272-4134/8351

If filed by an attorney, notice of pending court proceedings will be sent to the attorney only.

II. STATEMENT OF THE OBJECTION

Please check each "box" which states your objection to the recommendation in the Director's Report.

1. ☐ Name and Address: I object to the name and/or address of the owner of the water right.
2. ☐ Source: I object to the source of water.
3. ☐ Quantity: I object to:
 - a. ☐ the total quantity of water used in cubic feet per second; or
 - b. ☐ the total quantity of water stored in acre-feet per year; or
 - c. ☐ the total quantity of water reserved for each and every purpose, including all present and future uses.
4. ☐ Priority Date: I object to the priority date.
5. ☒ Points of Diversion: I object to the legal description of the point(s) of diversion.
6. ☐ Instream Flow: I object to the legal description of the beginning and ending points of the instream flow.
7. ☐ Purpose(s) of Use: I object to the purpose(s) of use.
8. ☐ Period of Year: I object to the period of year when water is used or is necessary for the purpose stated.
9. ☒ Place of Use: I object to:
 - a. ☐ the legal description of the place of use; or
 - b. ☐ the number of irrigated acres within each forty (40) acre subdivision.
10. ☐ Consumptive Use: I object to the annual volume of consumptive use.
11. ☐ Remarks: I object to the "remarks" listed with the water right.

(Over)

12. ☐ Water Right Recommendation: I object to:
- a. ☐ this water right being recommended at all; or
- b. ☐ this water right not being recommended.
13. ☐ Description of Reservation: I object to the legal description of the reservation.
14. ☐ Other: I object to: _____
- _____
- _____
- _____
- _____

REASONS SUPPORTING EACH BOX CHECKED

In the space following, you must state the reason(s) by number for each box checked. You may use additional pages if necessary.

The United States of America, acting through the Bureau of Land Management, has a valid water right. This claim as it appears in the Directors Report contains errors or is incomplete and requires amendment.

CHANGES TO THE DIRECTOR'S REPORT

Specifically describe how you want the Director's Report to be changed. You may use additional pages if necessary.

The Directors report should be changed to recommend allowance of this claim incorporating the corrections or additions specified in the attachment.

Please note: You should attach copies of documents which support your objection. Note on each document the "box number" it supports.

☒ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary. _____

1. List of changes required to correct this claim.

2. Copy of USDI claim from the Directors report.

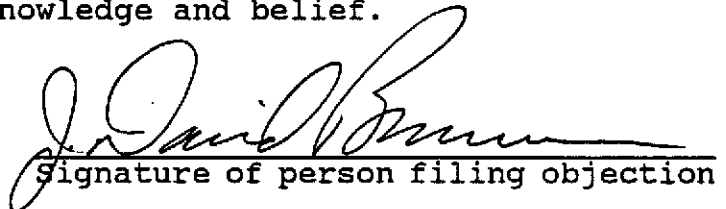
VERIFICATION (Must be Completed)

State of Idaho

County of Ada

J. DAVID BRUNNER, BOISE DISTRICT MANAGER, being first duly
(Name of person filing objection)
sworn, upon oath, deposes and says:

That I am the person or entity filing this objection, that I am a water claimant or party in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and that I have read the foregoing objection, know its contents and that the statements contained therein are true to the best of my knowledge and belief.


Signature of person filing objection

By: _____

(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 23 day of Feb.,
1993.


Notary Public for Ada County
Residing at: Boise, Idaho
My Commission expires: April 26, 1997

(Over)

INSTRUCTIONS FOR MAILING

You must mail the objection, including all attachments, to the Clerk of the Court. FAX filings will not be accepted by the Clerk of the Court. You must also send a copy to the owner of the water right, if other than yourself; to the Office of the Attorney General, State of Idaho; and to the United States Department of Justice, as set out below in the Certificate of Mailing. Finally, you must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I hereby certify that on the 26 day of February, 1993, I mailed the original and copies of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the owner of the water right, and you must fill in the following information:

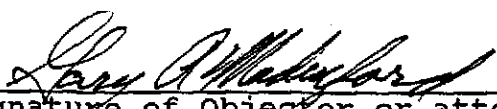
Owner name: US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
Owner's address: 3380 AMERICANA TERRACE
BOISE IDAHO 83706

3. One copy to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734



Signature of Objector or attorney
mailing on Objector's behalf

ATTACHMENT 1

CLAIM NUMBER: 57-11210

POINT OF DIVERSION:

CHANGE: T06S R02W S14 NESW

TO: T06S R02W S14 NWSW

PLACE OF USE:

CHANGE: T06S R02W S14 NESW

TO: T06S R02W S14 NWSW

upper Spring.

A15856HP

IDAHO DEPARTMENT OF WATER RESOURCES
ABSTRACTED CLAIMS TO WATER RIGHTS BASED UPON FEDERAL LAWDATE: OCT-13-1992
PAGE: A-201

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
-----------------	----------------	------------------	----------------	--------------------------	---------------------	----------------

SOURCE: SPRING

TRIBUTARY: SINKS

57-11208	US DEPT OF INTERIOR BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 3380 AMERICANA TERRACE BOISE ID 83706	04/17/1926	STOCKWATER	01-01 12-31	.14 CFS	RESERVED
----------	--	------------	------------	-------------	---------	----------

TOTAL QUANTITY: .14 CFS

NON-IRRIGATION-USES:

STOCKWATER, 531 RANGE CATTLE
POINT OF DIVERSION:

T06S R02W S09

NWSE

PLACE OF USE: STOCKWATER

T06S R02W S09

NWSE

REMARKS: BLM RECORD ID = 5701580278

57-11210	US DEPT OF INTERIOR BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 3380 AMERICANA TERRACE BOISE ID 83706	04/17/1926	STOCKWATER	01-01 12-31	.14 CFS	RESERVED
----------	--	------------	------------	-------------	---------	----------

TOTAL QUANTITY: .14 CFS

NON-IRRIGATION-USES:

STOCKWATER, 531 RANGE CATTLE

POINT OF DIVERSION:

T06S R02W S14

NWSE

PLACE OF USE: STOCKWATER

T06S R02W S14

NWSE

REMARKS: BLM RECORD ID = 5701580280

Water Right Number - R57-11210 Prefix Translation: RESEARCH Old (D) Number -
+ - - - - Last Name - - - - + + - First Name - - - - + - - - - Address - - - - - + - - - - +

*** A - ATTORNEY ***
HAUGRUD, JACK OR G GARVER OR D ZANE
1 - US DEPT OF JUSTICE
2 - ENV & NR DIV GEN LIT SEC
3 - PO BOX 663
City- WASHINGTON State- DC Zip- 200440663
Phone - 202-272-4134

*** C - CURRENT OWNER ***
US DEPT OF INTERIOR
1 - BUREAU OF LAND MANAGEMENT
2 - IDAHO STATE OFFICE
3 - 3380 AMERICANA TERRACE
City- BOISE State- ID Zip- 83706
Phone - 208-334-1401

*** K - ALSO KNOWN AS ***
BLM
1 - BUREAU OF LAND MANAGEMENT
2 - IDAHO STATE OFFICE
3 - 3380 AMERICANA TERRACE
City- BOISE State- ID Zip- 83706
Phone - 208-334-1401

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
04/17/1926 14 WESTERN F - RESERVED -
+ - - - - Source - - - - - + + - - - - Tributary - - - - - + + - - - - SINKS

+ - - - - - - - - - - - - - - - Point of Diversion -
Twn Rng Sec Tract Lot Rflg County Stream Index (Blank if no Index Code)

06S 02W 14 NE SW (73) OWYHEE
+ - - - - - - - - - - - - - - - Water Use -
Code Description Period From Period To Diversion Rate Diversion Volume

04 - STOCKWATER 01/01 12/31 0.140
+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Div. Capacity - + + - - Total Consumptive Use - + + - - KW Usage - +
0.140 0.0

+ - - - - - - - - - - - - - - - Place of Use -
Twn Rng Sec Tract Lot Acres Code Description County
06S 02W 14 NE SW 04 STOCKWATER (73) OWYHEE

+ - - Diversion Means - UNDEVELOPED SPRING

+ - - Non-Irrigation Use - STOCKWATER, 531 RANGE CATTLE

+ - - Other Rights for See - STATE LICENSE [PREVIOUSLY] OBTAINED ON THIS WATER, SEE REMAR



IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

AJ5808NP
(OD-26)

Prefix Translation: RESEARCH

Water right number - R57-11210

BLM RECORD ID = 5701580280
Remarks - - - - -
Old Water Right Numbers - - - - -
No Old Water Right Numbers found.
Conditions of Approval - - - - -
No Conditions of Approval found.
Decree Plaintiff - - - +
Decree Defendant - - - +
Decree Date - +
00/00/0000

Audit Fields - 09/16/92 SMITH

Subject: COPIED FROM REMARKS
Date: 09/16/1992 User Id: SMITH
License 57-2357

Adjudication Rights Dates and Flags Area - - - - -
Civil Case Number - 39576
Old Case Number -
Old Judicial District -
Temporary Right - P
Water District -
Federal/State Indicator - F
Presumption Flag -
Notice of Error Flag -
Field Inspection Made - 00/00/0000
Field Inspection Flag -
Verified Date - 00/00/0000
Last Amended Date - 00/00/0000
Proof Made Date - 00/00/0000
Receipt Number - X11111
POU Ownership Flag - Y
Name Connector -
Court Report Filing - 00/00/0000
Objection Filed Date - 00/00/0000
Response Filed Date - 00/00/0000
Claim Received Date - 06/30/1992
Proof Due Date - 00/00/0000
Licensed Date - 00/00/0000
Claims Tape Error Flg -
Fee Exempt Flag -

MICROFILMED
OCT 07 1992

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APR 13 1999

Department of Water Resources

1999 APR 12 PM 2:07

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 57-11210

Case No. 39576

) SPECIAL MASTER'S REPORT
)
)
)

FINDINGS OF FACT AND CONCLUSIONS OF LAW

A notice of claim was filed for this water right pursuant to I.C. § 42-1409 (1990). This right is based on Public Water Reserve 107. For rights having a federal basis, the director of the State of Idaho Department of Water Resources abstracts the claim. The abstract does not have any *prima facie* weight. Therefore, the burden rests with the United States to establish the factual and legal basis of the claim.

A hearing was held on the claim. Originally, the court DENIED the claim, without prejudice, because the United States failed to establish the proper quantity for the claim. See, *Order Denying Motion for Default Judgment (PWR 107)* (Nov. 16, 1998), incorporated herein by reference. Thereafter, the United States argued, and the court agreed, that the quantity for rights based on PWR 107 should be 13,000 gallons per day (0.02 cfs) consistent with other *de minimis* stock water rights decreed within the SRBA. The United States having established the factual and legal basis for these claims and there being no dual state basis for this right; now therefore,

IT IS THEREFORE RECOMMENDED that subcase 57-11210 be decreed as recommended in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED April 12, 1999.



FRITZ X. HAEMMERLE

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 57-11210

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1999 APR 12 PM 2:07

DISTRICT COURT-SRBA
TWIN FALLS CO, IDAHO
FILED *PL*

Department of Water Resources

NAME AND ADDRESS: USDI BLM
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE, ID 83706

SOURCE: SPRING

TRIBUTARY: SINKS

QUANTITY: 0.02 CFS

PRIORITY DATE: 04/17/1926

LOCATION INSTREAM FLOW: T06S R02W S14

NWSW

Within Owyhee County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
Stockwater

PERIOD OF USE
01-01 TO 12-31

QUANTITY
0.02 CFS

PLACE OF USE:

Stockwater
T06S R02W S14

NWSW

Within Owyhee County

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.

Barry Wood
Administrative District Judge
Interim Presiding Judge of the
Snake River Basin Adjudication

RECOMMENDATION

APR 12 1999

[Signature]
SPECIAL MASTER

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APR 13 1999

Department of Water Resources

1999 APR 12 PM 2:07

DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO
FILED *[Signature]*

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): 57-11210

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 April 12, 1999, with sufficient first-class postage prepaid to the following:

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

STATE OF IDAHO

Represented by:
CLIVE STRONG
NATURAL RESOURCES
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720-0010
Phone: 208-334-2400

STATE OF IDAHO

Represented by:
PETER J. AMPE
PO BOX 83720
BOISE, ID 83720-0010
Phone: 208-334-2400

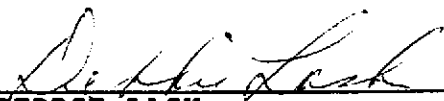
CERTIFICATE OF MAILING

PAGE 1
04/12/99

USDI BLM

Represented by:

US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835


DEBBIE LASH
Deputy Clerk

RECEIVED

APR 13 1999

Department of Water Resources

1999 APR 12 PM 2:07

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)
Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

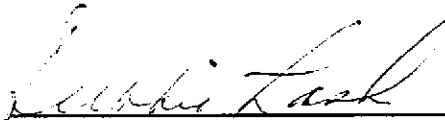
Water Right(s): 57-11210

On April 12, 1999, Special Master FRITZ X HAEMMERLE 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 April 12, 1999.


DEBBIE LASH
Deputy Clerk