

2008 OCT 29 PM 2: 48

CLERK OF DISTRICT COURT  
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**

|                       |   |                              |
|-----------------------|---|------------------------------|
| <b>In Re SRBA</b>     | ) | <b>Subcase 75-14338</b>      |
|                       | ) | <b>(Dow)</b>                 |
| <b>Case No. 39576</b> | ) |                              |
| _____                 | ) | <b>SPECIAL MASTER REPORT</b> |

**Findings of Fact**

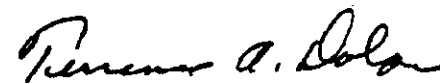
The Director of the Idaho Department of Water Resources filed his *Director's Report, Irrigation & Other Uses, Reporting Area 23, Basin 75* on January 11, 2007. The Director recommended the claim to Scott Hatch for .07 cfs from Hughes Creek to irrigate 2.1 acres in Lemhi County from April 1 to October 31 with a priority date of April 1, 1912, based on beneficial use.

Robert B. Archie filed an *Objection* on February 1, 2007, but on September 9, 2008, he filed a *Notice of Withdrawal of Objection*. In the meantime, IDWR filed a *Notice of Completed Administrative Proceeding* for a substitution of party with the new claimant as John Dow, 254 Avenida Vista Del Oceano, San Clemente, California, 92672.

**Conclusions of Law**

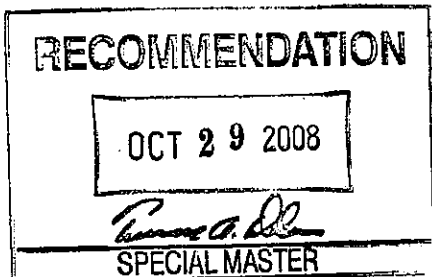
Mr. Dow is entitled to a partial decree adjudicating a water right as described in the NCAP and the attached *Special Master Recommendation for Partial Decree for Water Right 75-14338*.

DATED October 29, 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 75-14338



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In Re SRBA

Case No. 39576

CERTIFICATE OF MAILING

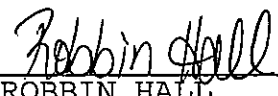
Water Right(s): 75-14338

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 October 29, 2008, with sufficient first-class postage prepaid to the following:

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

JOHN DOW  
254 AVENIDA VISTA DEL OCEANO  
SAN CLEMENTE, CA 92672

  
ROBBIN HALL  
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1  
10/29/08

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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

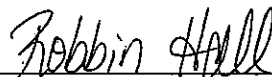
Water Right(s): 75-14338

On October 29, 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 October 29, 2008.

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