

2008 NOV -7 PM 2: 01
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	)	SPECIAL MASTER'S REPORT AND
	)	RECOMMENDATION; FINDINGS OF
Case No. 39576	)	FACT AND CONCLUSIONS OF LAW
	)	
	)	
_____	)	WATER RIGHT NO.: 21-61A

I. FINDINGS OF FACT

A claim was filed for this water right pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources examined the water system for this reporting area. The *Director's Report* contained a recommendation for the elements of this water right.

No objections were filed for water right 21-61A. This water right however, is used in combination with water right 21-60E which was the subject of an *Objection*. The *Objection* was resolved on August 1, 2007 with the filing of a *Standard Form 5*. There are no unresolved objections remaining.

II. CONCLUSIONS OF LAW

Based on the file and record herein, IT IS RECOMMENDED that this water right be decreed with the elements set forth in the attached *Special Master's Recommendation for Partial Decree*.

DATED: November 7, 2007.



BRIGETTE BILYEU
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
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 21-00061A

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TWIN FALLS CO., IDAHO
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NAME AND ADDRESS: RALPH D MILLER
PO BOX 60
CHESTER, ID 83421

SOURCE: FALL RIVER TRIBUTARY: HENRYS FORK

QUANTITY: 1.76 CFS

PRIORITY DATE: 06/10/1887

POINT OF DIVERSION: T08N R42E S20 NWS Within Fremont County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.76 CFS

PLACE OF USE:	Irrigation	Within Fremont County
	T08N R42E S19	NESW 9.5 LOT 3 (NWSW)14.0
	LOT 4	(SWSW)26.0 SESW 21.0
	70.5 Acres Total	

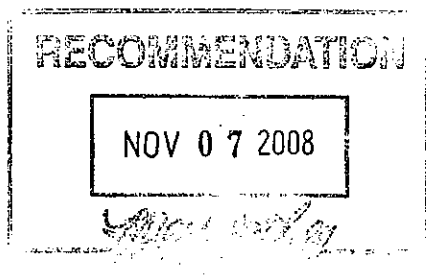
This right is limited to the irrigation of 45 acres within the place of use described above in a single irrigation season. Right Nos. 21-61A and 21-60E are limited to the irrigation of a combined total of 70.5 acres in a single irrigation season.

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

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

FILE

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

In Re SRBA)
)
Case No. 39576)
)
)

Janet Connell
Deputy Clerk

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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

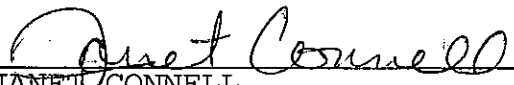
Water Right(s): 21-00061A

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 November 07, 2008, with sufficient first-class postage prepaid to the following:

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

RALPH D MILLER
PO BOX 60
CHESTER, ID 83421
Phone: 208-624-7724


JANET CONNELL
Deputy Clerk

CERTIFICATE OF MAILING

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