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DEPARTMENT OF
WATER RESOURCES

DISTRICT 6 2007-2008
TWIN FALLS CO., IDAHO
FILED

2008 NOV 12 07 10 39

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 75-4379C
	)	(Farrell)
Case No. 39576	)	
	)	SPECIAL MASTER REPORT
_____	)	

Findings of Fact

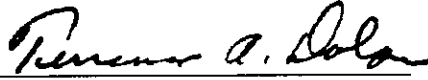
The Director of the Idaho Department of Water Resources filed his *Director's Report, Irrigation and Other Uses, Reporting Area 23, Basin 75* on January 11, 2007. The Director recommended the claim to Patrick and Kathleen Farrell, 7391 Buck Lake Road, Tallahassee, Florida, 32311, for 1.28 cfs from Indian Creek for year-'round stockwater use and to irrigate 63 acres in Lemhi County from April 1 to November 1 with a priority date of August 14, 1917, based on beneficial use.

The Farrells filed an *Objection* on August 6, 2007, objecting to place of use. On September 18, 2008, the Farrells, with IDWR's concurrence, filed a *Standard Form 5* agreeing to 68 acres.

Conclusions of Law

The Farrells are entitled to a partial decree adjudicating a water right as described in the *SF-5* and the attached *Special Master Recommendation for Partial Decree for Water Right 75-4379C*.

DATED November 12, 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)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 75-04379C

NAME AND ADDRESS: KATHLEEN D FARRELL
PATRICK J FARRELL JR
7391 BUCK LAKE RD
TALLAHASSEE, FL 32311

SOURCE: INDIAN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 1.28 CFS

The quantity of water under this right for stockwater use shall
not exceed 13,000 gallons per day.

PRIORITY DATE: 08/14/1917

POINT OF DIVERSION: T24N R19E S01 SESE Within Lemhi County
S12 NENE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	1.26 CFS
	Stockwater	01-01 TO 12-31	0.02 CFS

PLACE OF USE:	Irrigation		Within Lemhi County
	T24N R19E S01	SESE 5.0	
	S12	NENE 2.0	NWNE 2.0
		SWNE 14.0	SENE 1.0
		NWSE 13.0	SWSE 18.0
	S13	NWNE 12.0	SWNE 1.0
	68.0 Acres Total		
	Stockwater		Within Lemhi County
	Same as Irrigation		

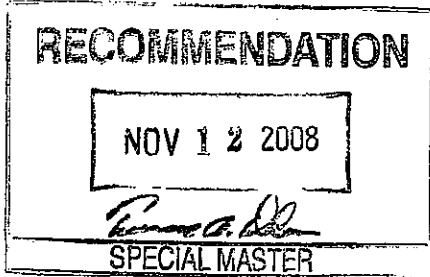
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right for
stockwater use is not a determination of historical beneficial
use.

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): 75-04379C

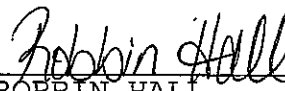
CERTIFICATE OF MAILING

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 12, 2008, with sufficient first-class postage prepaid to the following:

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

KATHLEEN D FARRELL
PATRICK J FARRELL JR
7391 BUCK LAKE RD
TALLAHASSEE, FL 32311
Phone: 850-878-8575

PATRICK J FARRELL JR
7391 BUCK LAKE RD
TALLAHASSEE, FL 32317
Phone: 850-224-4663



ROBBIN HALL
Deputy Clerk

CERTIFICATE OF MAILING

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11/12/08

DISTRICT COURT - 5th J.D. DISTRICT
TWIN FALLS CO., IDAHO
FILED

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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)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

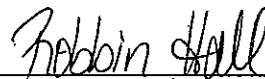
Water Right(s): 75-04379C

On November 12, 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 November 12, 2008.



ROBBIN HALL
Deputy Clerk