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DEC 26 2008
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho
DEC 23 2008
By _____ Clerk
_____ Deputy Clerk

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 35-2019**
	)	**(Stieglitz)**
Case No. 39576	)	
	)	**ORDER VACATING TRIAL**
	)	**and SPECIAL MASTER REPORT**
	)	**AND RECOMMENDATION**

Findings of Fact

On November 27, 2006, SRBA Presiding Judge John M. Melanson entered an ***Order Granting Motion to File Late Notice of Claim*** in subcase 35-2019. The Director of the Idaho Department of Water Resources filed his *Director's Report for Late Claims, Irrigation & Misc. Claims* on April 27, 2007. The Director recommended the claim, filed by Bridgette and Jeffrey Stieglitz, 646 US Highway 91, Firth, Idaho, 83236, be disallowed: "Forfeited / abandoned due to non-use from 2002 to 2006."

Conan Feld, Don and Ruth Adams, Steve Adams and Richard Koompin filed *Objections* between April 27 and July 2, 2007, alleging the water right does not exist. The claimants were granted leave to file a late objection on January 23, 2008, objecting to the claim not being recommended as claimed. On December 18, 2008, the claimants filed a *Notice of Withdrawal of Objection and Request to Vacate Trial* agreeing the claim be disallowed.

Conclusions of Law

Bridgette and Jeffrey Stieglitz are **not** entitled to a partial decree for claim 35-2019.

Order

THEREFORE, IT IS ORDERED that the trial in subcase 35-2019 is **vacated**.

Recommendation

THEREFORE, IT IS RECOMMENDED that claim 35-2019 be **disallowed.**

DATED December 23, 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	CERTIFICATE OF MAILING
Case No. 39576	Water Right(s): 35-02019

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 December 23, 2008, with sufficient first-class postage prepaid to the following:

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

BRIDGETTE STIEGLITZ
JEFFREY BRIAN STIEGLITZ
Represented by:
KENT W FOSTER
1000 RIVERWALK DR, STE 200
PO BOX 50130
IDAHO FALLS, ID 83405
Phone: 208-523-0620

DON & RUTH ADAMS
2201 W 1200 S
ABERDEEN, ID 83210
Phone: 208-397-4641

STEVEN ADAMS
2215 W 1100 S
ABERDEEN, ID 83210
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RICHARD KOOMPIN
2229 W 1000 S
STERLING, ID 83210
Phone: 208-681-2286

CONAN FELD
2781 W 1800
PO BOX 864
ABERDEEN, ID 83210
Phone: 208-221-2020

Robbin Hall
ROBBIN HALL
Deputy Clerk

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	)	NOTICE OF ISSUANCE OF SPECIAL MASTER'S RECOMMENDATION
Case No. 39576	)	
	)	Water Right(s): 35-02019

On December 23, 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 December 23, 2008.

Robbin Hall

ROBBIN HALL
Deputy Clerk