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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
MAR 31 2009
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	)	SPECIAL MASTER'S REPORT AND
	)	RECOMMENDATION; FINDINGS OF
Case No. 39576	)	FACT AND CONCLUSIONS OF LAW
	)	
	)	FOR WATER RIGHT: 22-7019
_____	)	

I. FINDINGS OF FACT

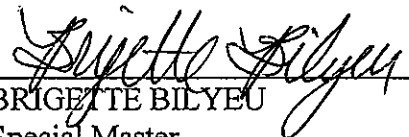
A notice of claim was filed for this water right pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources examined the water system for this reporting area. The *Director's Report* contained a recommendation for the elements of this water right.

An *Objection* was filed by the United States Bureau of Reclamation on January 9, 2008. The *Objection* was resolved on January 28, 2009 with the filing of a *Standard Form 5*. All parties to the subcase and IDWR are signatories to the *Standard Form 5*.

II. CONCLUSIONS OF LAW

Therefore, 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: March 31, 2009.


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

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho MAR 31 2009 By _____ Clerk Deputy Clerk
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In Re SRBA)
Case No. 39576)
_____)

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

Water Right 22-07019

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WATER RESOURCES

NAME AND ADDRESS: DENNIE K ARNOLD
JANET ARNOLD
1045 N HWY 32
FELT, ID 83424

SOURCE: GROUND WATER

QUANTITY: 4.40 CFS
1140.00 AFY

The rate of diversion of water for irrigation under this right
and all other water rights on the same land shall not exceed
0.02 cubic feet per second for each acre of land.

The rights listed below are limited to a total combined annual
diversion volume of 2550.5 af. Combined Right Nos.:22-4185,
22-7019, 22-7171.

The rights listed below are limited to a total combined
diversion rate of 5.28 cfs. Combined Right Nos.:22-4185,
22-7019, 22-7171.

PRIORITY DATE: 02/25/1969

POINT OF DIVERSION: T07N R44E S27 SESWNE Within Teton County
NENENW
SESWNW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	4.40 CFS 1140.00 AFY

PLACE OF USE:	Irrigation	Within Teton County
	T07N R44E S21	SENE 11.0 SWSE 40.0
		SESE 39.0
	S22	NENE 14.0 NWNE 12.0
		SWNE 38.0 SENE 21.0
		SWNW 23.0 SENW 32.0
		NESW 32.0 NWSW 35.0
		SWSW 40.0 SESW 40.0
		NESE 24.0 NWSE 40.0
		SWSE 40.0 SESE 22.0
	S27	NENE 36.0 NWNE 40.0
		NENW 40.0 NWNW 40.0
	S28	NENE 40.0 NWNE 39.0
		NENW 35.0 NWNW 12.0
	785.0 Acres Total	

The rights listed below are limited to the irrigation of a
combined total of 785 acres in a single irrigation season.
Combined Right Nos.:22-4185, 22-7019, 22-7171

This right is limited to the irrigation of 380 acres within
the place of use described above in a single irrigation season.
Place of use does not include federal public lands.

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

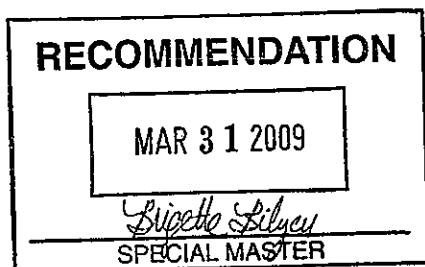
SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

OTHER PROVISIONS (continued)

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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Case No. 39576)

_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

Water Right(s) : 22-07019

On March 31, 2009, Special Master BRIGETTE BILYEU 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 March 31, 2009.


JANET CONNELL
Deputy Clerk

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In Re SRBA)

Case No. 39576)
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CERTIFICATE OF MAILING

Water Right(s): 22-07019

CERTIFICATE OF MAILING

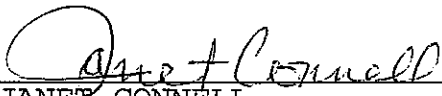
I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on March 31, 2009, with sufficient first-class postage prepaid to the following:

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

USDI BUREAU OF RECLAMATION
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

DENNIE K ARNOLD
JANET ARNOLD
1045 N HWY 32
FELT, ID 83424
Phone: 208-456-2873

CERTIFICATE OF MAILING

 PAGE 1
JANET CONNELL 03/31/09
Deputy Clerk