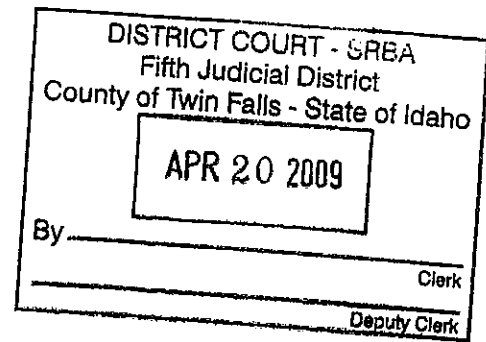


RECEIVED

APR 21 2009

DEPARTMENT OF
WATER RESOURCES



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) Subcases 73-156A, 73-12045, 73-12046
Case No. 39576) and 73-12081 (O'Neal)
_____)
SPECIAL MASTER REPORT

Findings of Fact

On June 12, 2008, the Special Master entered a *Report and Recommendation* in subcase 73-12080 recommending that Debbie and Ted O'Neal, 81 Furey Lane, May, Idaho, 83253, be decreed 1.04 cfs from Patterson Creek to irrigate 52 acres in Lemhi County from May 1 to July 15 with a priority date of May 1, 1963, based on beneficial use. When no challenges were filed, on September 19, 2008, SRBA Presiding Judge John M. melanson entered an *Order of Partial Decree* in the subcase.

IDWR identified the above four subcases as uncontested overlapping claims with subcase 73-12080, but they were not reported and recommended by the Special Master along with subcase 73-12080. The above four claims remain uncontested.

Conclusions of Law

The O'Neals are entitled to water rights as recommended by IDWR in its *Director's Report, Irrigation & Other Uses, Reporting Area 23, Basin 73* filed January 25, 2007, and as described in the attached *Special Master Recommendations for Partial Decrees for Water Rights 73-156A, 73-12045, 73-12046 and 73-12081*.

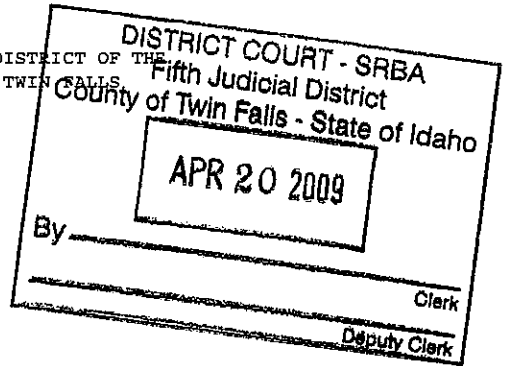
DATED April 20, 2009.

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 73-00156A



NAME AND ADDRESS: DEBBIE A O NEAL
TED L O NEAL
81 FUREY LN
MAY, ID 83253

SOURCE: BIG CREEK TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 3.00 CFS

Water under this right shall only be delivered when there is
insufficient water in the Pahsimeroi River to deliver water
right 73-12046.
Right Nos. 73-156A and 73-12046 are limited to a total combined
diversion rate of 4.43 cfs.
The appropriator is entitled to the quantity of water described
above at the point of measurement in T14N, R22E, S26, SWSW.

PRIORITY DATE: 05/01/1888

POINT OF DIVERSION: T13N R23E S12 NWSW Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	3.00 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T14N R22E S15	NWSW 1.0 SWSW 15.0
	S22	NENW 19.0 NWNW 31.0
		SWNW 35.0 SENW 39.0
		NESW 36.0 NWSW 32.0
	208.0 Acres Total	

Right Nos. 73-156A, 73-12045, 73-12046, and 73-12081 are limited
to the irrigation of a combined total of 208 acres in a single
irrigation season.

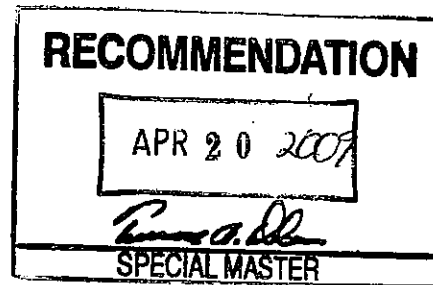
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

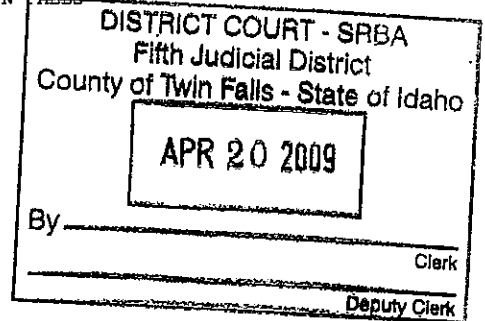


IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

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

Water Right 73-12045



NAME AND ADDRESS: DEBBIE A O NEAL
TED L O NEAL
81 FUREY LN
MAY, ID 83253

SOURCE: PAHSIMEROI RIVER TRIBUTARY: SALMON RIVER

QUANTITY: 1.60 CFS

PRIORITY DATE: 05/01/1886

POINT OF DIVERSION: T14N R22E S35 NESW Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.60 CFS

PLACE OF USE:	Irrigation		Within Lemhi County
	T14N R22E S15	NWSW 1.0	SWSW 15.0
	S22	NENW 19.0	NWNW 31.0
		SWNW 35.0	SENW 39.0
		NESW 36.0	NWSW 32.0
	208.0 Acres Total		

Right Nos. 73-156A, 73-12045, 73-12046, and 73-12081 are limited to the irrigation of a combined total of 208 acres in a single irrigation season.

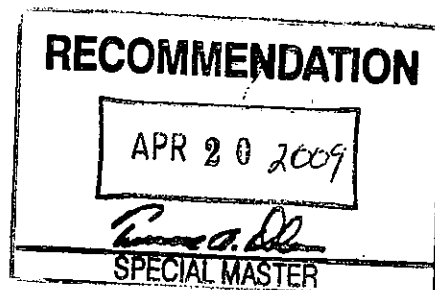
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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



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 73-12046

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho
APR 20 2009
By _____ Clerk
_____ Deputy Clerk

NAME AND ADDRESS: DEBBIE A O NEAL
TED L O NEAL
81 FUREY LN
MAY, ID 83253

SOURCE: PAHSIMEROI RIVER TRIBUTARY: SALMON RIVER

QUANTITY: 4.43 CFS

Right Nos. 73-156A and 73-12046 are limited to a total combined
diversion rate of 4.43 cfs.

PRIORITY DATE: 05/01/1886

POINT OF DIVERSION: T14N R22E S35 NESW Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	4.43 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T14N R22E S15	NWSW 1.0 SWSW 15.0
	S22	NENW 19.0 NWNW 31.0
		SWNW 35.0 SENW 39.0
		NESW 36.0 NWSW 32.0
	208.0 Acres Total	

Right Nos. 73-156A, 73-12045, 73-12046, and 73-12081 are limited
to the irrigation of a combined total of 208 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

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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

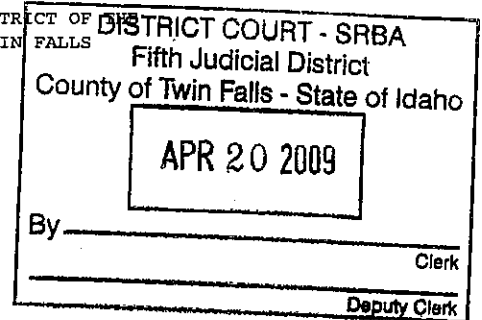
RECOMMENDATION
APR 20 2009
<i>John M. Melanson</i>
SPECIAL MASTER

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF
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 73-12081



NAME AND ADDRESS: DEBBIE A O NEAL
TED L O NEAL
81 FUREY LN
MAY, ID 83253

SOURCE: PAHSIMEROI RIVER TRIBUTARY: SALMON RIVER

QUANTITY: 2.29 CFS

PRIORITY DATE: 02/18/1926

POINT OF DIVERSION: T14N R22E S35 NESW Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	05-01 TO 07-15	2.29 CFS
	Stockwater	01-01 TO 05-01	2.00 CFS

PLACE OF USE:	Irrigation	Stockwater
	T14N R22E S15	NWSW 1.0
	S22	NENW 19.0
		SWNW 35.0
		NESW 36.0
	208.0 Acres Total	

Stockwater Within Lemhi County
Same as Irrigation

Right Nos. 73-156A, 73-12045, 73-12046, and 73-12081 are limited to the irrigation of a combined total of 208 acres in a single irrigation season.

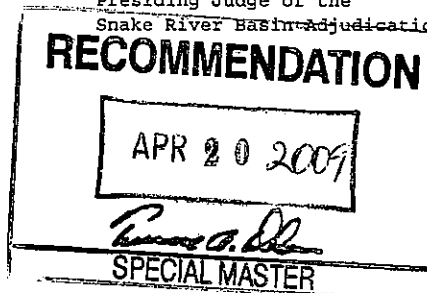
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

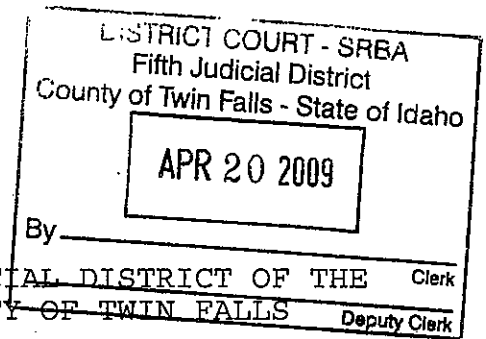
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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





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

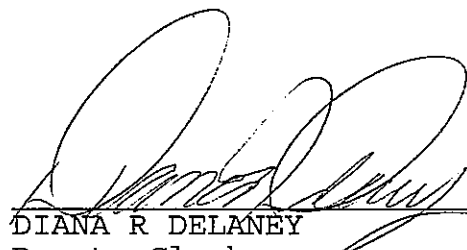
Water Right(s): 73-00156A
73-12045 73-12046 73-12081

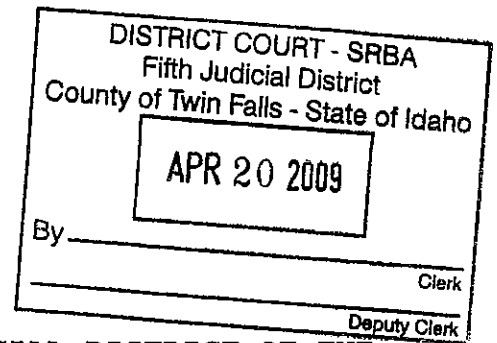
On April 20, 2009, Special Master TERRENCE A. DOLAN issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

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 April 20, 2009.


DIANA R DELANEY
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)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

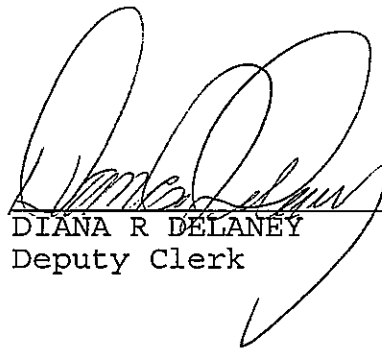
Water Right(s) : 73-00156A
73-12045 73-12046 73-12081

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 April 20, 2009, with sufficient first-class postage prepaid to the following:

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

DEBBIE A O NEAL
TED L O NEAL
81 FUREY LN
MAY, ID 83253
Phone: 208-876-4260



DIANA R DELANEY
Deputy Clerk