

RECEIVED
APR 27 2009
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
APR 24 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	) Subcases 74-382, 74-1142 and 74-1148
	) (Karl Tyler Chevrolet, Inc.)
Case No. 39576	)
	) SPECIAL MASTER REPORT
_____	)

Findings of Fact

The Director of the Idaho Department of Water Resources filed his *Director's Report, Reporting Area 23, IDWR Basin 74* on January 23, 2006. The Director recommended claims 74-382, 74-1142 and 74-1148 to Karl Tyler Chevrolet, Inc., P.O. Box 16025, Missoula, Montana, 59808, for 2.04 cfs, .85 cfs and 6.74 cfs from the Lemhi River and Lemhi Big Spring Creek to irrigate 62.6 acres, 28.1 acres and 337.1 acres in Lemhi County from March 15 to November 15 with priority dates of January 11, 1895, October 23, 1889, and October 23, 1889, based on a decree. IDWR identified the three subcases as uncontested overlapping claims.

Conclusions of Law

Karl Tyler Chevrolet is entitled to partial decrees for claims 74-382, 74-1142 and 74-1148 as recommended by IDWR and as described in the attached *Special Master Recommendations for Partial Decrees for Water Rights 74-382, 74-1142 and 74-1148*.

DATED April 24, 2009.



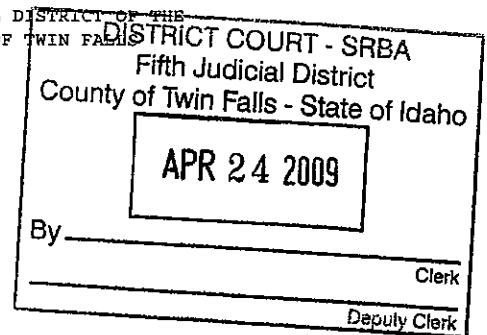
TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

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 74-00382



NAME AND ADDRESS: KARL TYLER CHEVROLET INC
PO BOX 16025
MISSOULA, MT 59808

SOURCE: LEMHI RIVER TRIBUTARY: SALMON RIVER

QUANTITY: 2.04 CFS

PRIORITY DATE: 01/11/1895

POINT OF DIVERSION: T16N R25E S12 NWSW Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	2.04 CFS

PLACE OF USE:	Irrigation		Within Lemhi County
	T16N R25E S02	NWSW 1.0	SWSW 13.0
		SESW 2.0	
	S03	SENE 4.0	NESE 15.0
	S11	NWNE 14.0	NENW 13.0
		NWNW 1.0	
	63.0 Acres Total		

This right authorizes the irrigation of 62.6 total acres.

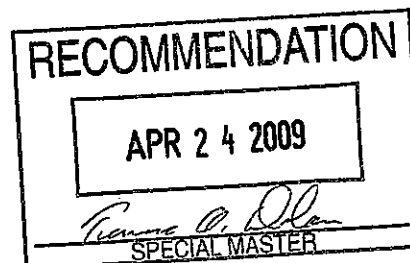
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
APR 24 2009	
By _____	Clerk
Deputy Clerk	

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
Case No. 39576) I.R.C.P. 54(b) FOR
) Water Right 74-01142

NAME AND ADDRESS: KARL TYLER CHEVROLET INC
PO BOX 16025
MISSOULA, MT 59808

SOURCE: LEMHI BIG SPRING CREEK TRIBUTARY: LEMHI RIVER

QUANTITY: 0.85 CFS

PRIORITY DATE: 10/23/1889

POINT OF DIVERSION: T16N R26E S18 NESW Within Lemhi County

PURPOSE AND			
PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.85 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T16N R25E S13	NENE 7.0 SENE 4.0
	R26E S18 LOT 1 () 1.0	LOT 2 () 9.0
	LOT 3 () 6.0	
	27.0 Acres Total	

This right authorizes the irrigation of 28.1 total acres.

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

RECOMMENDATION
APR 24 2009
<i>Thomas A. Olson</i> SPECIAL MASTER

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 74-01148

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

APR 24 2009

By _____ Clerk
Deputy Clerk

NAME AND ADDRESS: KARL TYLER CHEVROLET INC
PO BOX 16025
MISSOULA, MT 59808

SOURCE: LEMHI BIG SPRING CREEK TRIBUTARY: LEMHI RIVER

QUANTITY: 6.74 CFS

PRIORITY DATE: 10/23/1889

POINT OF DIVERSION: T16N R25E S13 NENW Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	6.74 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T16N R25E S10	NENE 3.0
	S11	NWNE 7.0 SWNE 32.0
		SENE 11.0 NENW 18.0
		NWNW 11.0 SWNW 22.0
		SENE 39.0 NESW 34.0
		NWSW 5.0 SESW 1.0
		NESE 39.0 NWSE 33.0
		SWSE 29.0 SESE 36.0
	S14	NENE 18.0
	338.0 Acres Total	

This right authorizes the irrigation of 337.1 total acres.

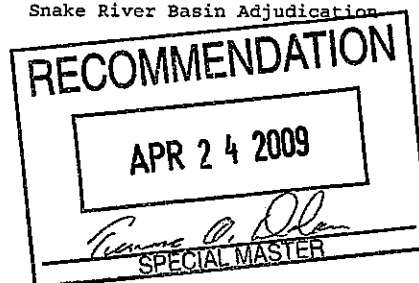
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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
Fifth Judicial District
County of Twin Falls - State of Idaho

APR 24 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

Case No. 39576

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

Water Right(s): 74-00382
74-01142 74-01148

On April 24, 2009, Special Master JOHN M MELANSON 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 24, 2009.


DIANA R DELANEY
Deputy Clerk

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
APR 24 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)

Case No. 39576)

CERTIFICATE OF MAILING

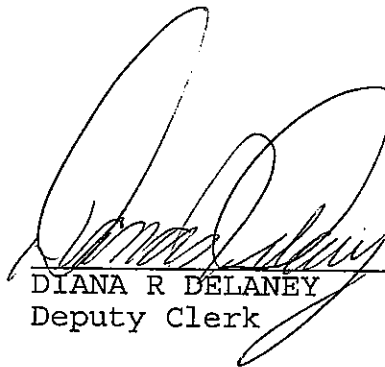
Water Right(s): 74-00382
74-01142 74-01148

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 24, 2009, with sufficient first-class postage prepaid to the following:

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

KARL TYLER CHEVROLET INC
PO BOX 16025
MISSOULA, MT 59808
Phone: 406-721-2438



DIANA R DELANEY
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
04/24/09