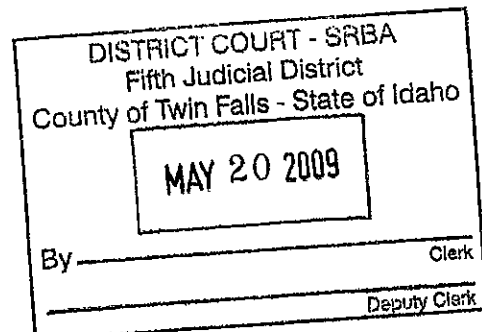


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MAY 21 2009

Department of Water Resources
Adjudication Bureau



**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 74-2047H and 74-2074B
Case No. 39576) (Bonuccelli)
)
) SPECIAL MASTER REPORT
) AND RECOMMENDATION

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 claim 74-2047H, filed by Vergil O. Olson, be disallowed: "Recommended as right nos. 74-2047E, 74-2047F, 74-2047M, 74-2047P, 74-15441, 74-15442." The Director recommended claim 74-2074B, filed by Robert A. Bonuccelli, P.O. Box 141449, Spokane, Washington, 99214-1449, be disallowed: "Recommended as right no. 74-2074."

Mr. Bonuccelli was granted leave to file late objections and amend both claims in his name on November 25, 2008. IDWR filed its *Amended Director's Report, Subcase No. 74-2047H* on February 11, 2009, recommending 74-2047H only for .701 cfs from the Lemhi River to irrigate 17 acres in Lemhi County from March 15 to November 15 with a priority date of September 19, 1909. The Director thereby renewed his recommendation that claim 74-2074B be disallowed. No one objected either recommendation.

Conclusions of Law

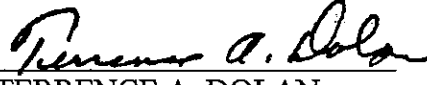
1. Mr. Bonuccelli is entitled to a partial decree adjudicating a water right as described in the *Amended Director's Report* and the attached *Special Master Recommendation for Partial Decree for Water Right 74-2047H*; and

2. Mr. Bonuccelli is **not** entitled to a partial decree for claim 74-2074B.

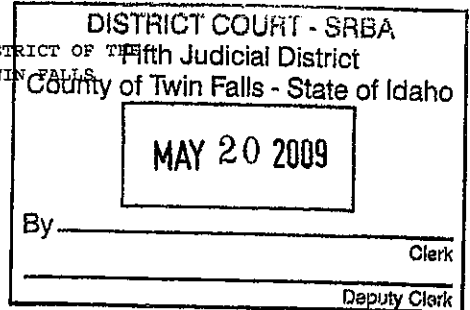
Recommendation

THEREFORE, IT IS RECOMMENDED that claim 74-2074B be **disallowed**.

DATED May 15, 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 74-02047H

NAME AND ADDRESS: ROBERT A BONUCCELLI
PO BOX 141449
SPOKANE, WA 99214

SOURCE: LEMHI RIVER TRIBUTARY: SALMON RIVER

QUANTITY: 0.701 CFS

PRIORITY DATE: 09/19/1909

POINT OF DIVERSION: T21N R23E S33 NWNW Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.701 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T21N R22E S11 NESE 4.8	SESE 2.0
	S12 NWSW 10.2	
	17.0 Acres Total	

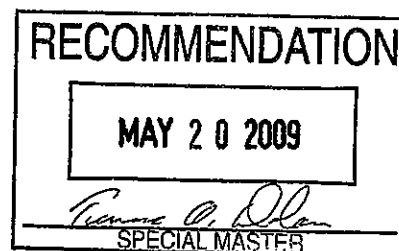
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

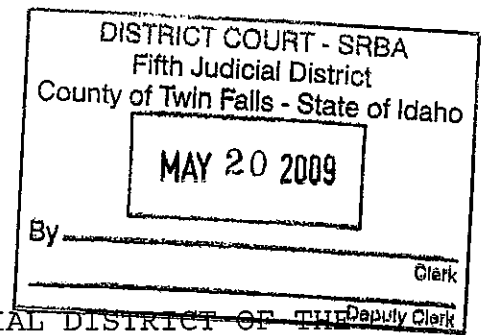
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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

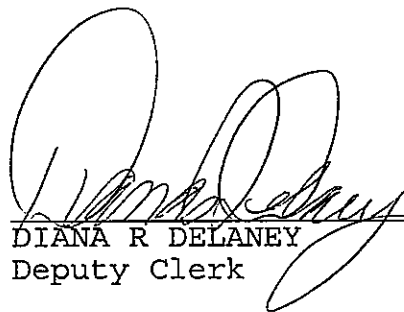
Water Right(s): 74-02047H
74-02074B

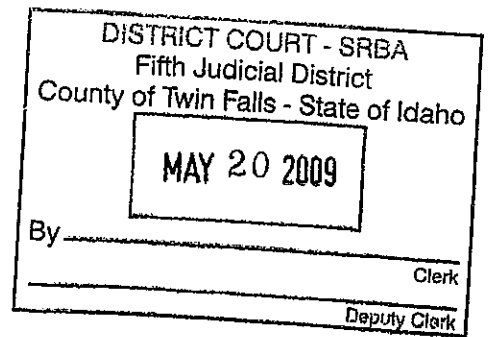
On May 20, 2009, Special Master TERRENCE A. DOLAN issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

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 May 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): 74-02047H
74-02074B

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

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

ROBERT A BONUCCELLI
Represented by:
JOSEPHINE P BEEMAN
409 W JEFFERSON ST
BOISE, ID 83702
Phone: 208-331-0950

ROBERT A BONUCCELLI
PO BOX 141449
SPOKANE, WA 99214

A handwritten signature in cursive script, appearing to read "Diana R Delaney", written over a horizontal line.

DIANA R DELANEY
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
05/19/09