

DEPARTMENT OF
WATER RESOURCES

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

JUN 12 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

SPECIAL MASTER'S REPORT AND RECOMMENDATION

WATER RIGHT NO.: 27-12171

I. PROCEDURAL BACKGROUND

On November 18, 2008, IDWR sent a letter to the Court explaining that it had reviewed its recommendations in Basin 27 and discovered that corrections to some water rights were needed. The letter provided additional information about the necessary corrections in Basin 27 which included separating the instream stockwater portion of several rights. The letter was served on the parties. Hearings were held on January 30, 2009 and June 5, 2009.

II. FINDINGS OF FACT

At the hearings, IDWR proposed that it be allowed to file an *Amended Director's Report* for this right. An *Amended Director's Report* was filed with the court. The *Amended Director's Report* was placed on the Docket Sheet. No objections were filed to the *Amended Director's Report*, and the time for filing such objections has now expired.

III. CONCLUSIONS AND RECOMMENDATIONS

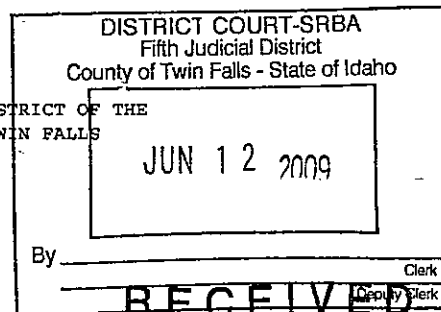
Therefore, based on the file and record herein, IT IS RECOMMENDED that this water right be decreed with the elements set forth in the attached *Special Master's Recommendation for Partial Decree*.

Dated: June 12, 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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 27-12171



NAME AND ADDRESS: ALMA A HUBBARD
PO BOX 341
GRACE, ID 83241

JUN 16 2009
DEPARTMENT OF
WATER RESOURCES

SOURCE: MEADOW CREEK TRIBUTARY: BLACKFOOT RESERVOIR

QUANTITY: 0.02 CFS
5.10 AFY

The rights listed below are limited to a total combined annual
diversion volume of 5.1 AF for stockwater. Combined Right Nos.:
27-11317, 27-11318 and 27-12171.
The quantity of water under this right shall not exceed 13,000
gallons per day.

PRIORITY DATE: 01/01/1891

POINT OF DIVERSION: T05S R42E S10 NWNESE (Instream Beginning Point) Within Caribou County
S15 NWSENE (Instream Ending Point)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	04-15 TO 12-01	0.02 CFS
			5.10 AFY

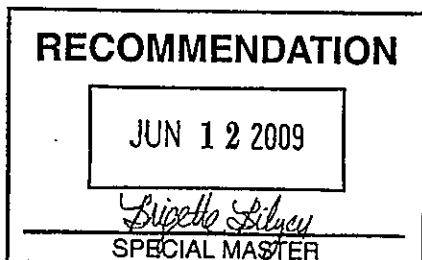
PLACE OF USE:	Stockwater	Within Caribou County
	T05S R42E S10 NESE SESE	
	S15 NENE SENE	

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

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WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUN 12 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

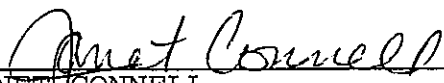
Water Right(s): 27-12171

On June 12, 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 June 12, 2009.



JANET CONNELL
Deputy Clerk

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WATER RESOURCES

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JUN 12 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)

CERTIFICATE OF MAILING

Case No. 39576)

Water Right(s): 27-12171

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 June 12, 2009, with sufficient first-class postage prepaid to the following:

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

ALMA A HUBBARD
PO BOX 341
GRACE, ID 83241


JANET CONNELL
Deputy Clerk

CERTIFICATE OF MAILING

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06/12/09