

RECEIVED

JUL 16 2009

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUL 15 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	) Subcase 75-4026
	) (Salmon River Properties, Inc.)
Case No. 39576	)
	) SPECIAL MASTER REPORT
	) AND RECOMMENDATION

Findings of Fact

The Director of the Idaho Department of Water Resources filed his *Director's Report, Irrigation & Other Uses, Reporting Area 23, Basin 75* on January 11, 2007. The Director recommended the claim filed by Salmon River Properties, Inc., Box 4495, Chatsworth, California, 91313, be disallowed: "No lawful appropriation shown."

Ward M. Whitmore filed an *Objection* on July 16, 2007, objecting to quantity and place of use. Erik F. Storlie and Tamara L. Kaiser filed an *Objection* on October 1, 2007, alleging the water right should not exist. Fred Crabtree lodged a late *Objection* on October 18, 2007, alleging the water right should not exist, but on March 12, 2009, his late *Objection* was dismissed.

On July 13, 2009, Salmon River Properties, Mr. Storlie and Ms. Kaiser filed a *Stipulation to Withdraw Objections* stating the claim "should receive a partial decree as it is currently recommended to the court . . . [t]he parties have resolved their objections by agreement"

Conclusions of Law

Salmon River Properties is **not** entitled to a partial decree adjudicating a water right for claim 75-4026 as recommended by IDWR.

Recommendation

THEREFORE, IT IS RECOMMENDED that claim 75-4026 be **disallowed**.

DATED July 15, 2009.



TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
JUL 15 2009	
By _____	_____ 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

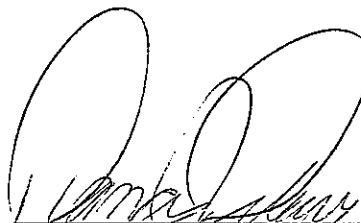
Water Right(s): 75-04026

On July 15, 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.

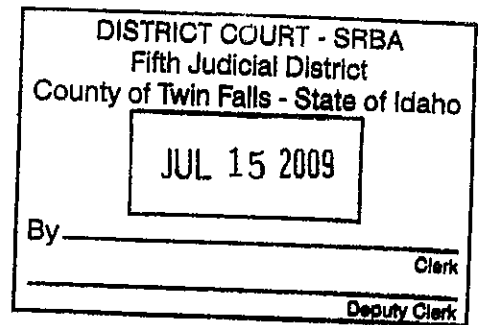
Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

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 July 15, 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): 75-04026

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 July 15, 2009, with sufficient first-class postage prepaid to the following:

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

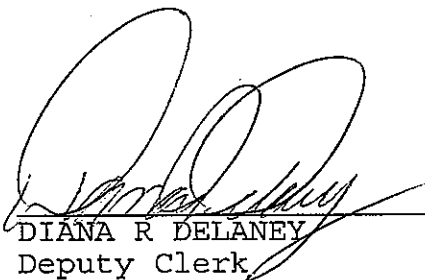
WARD M WHITMORE
Represented by:
JORDAN P. SMITH
807 MAIN ST
SALMON, ID 83467
Phone: 208-756-2257

SALMON RIVER PROPERTIES INC
Represented by:
ROBERT L HARRIS
1000 RIVERWALK DR, STE 200
PO BOX 50130
IDAHO FALLS, ID 83405
Phone: 208-523-0620

CERTIFICATE OF MAILING

PAGE 1
07/15/09

ERIK F STORLIE
KAISER, TAMARA L
3217 HUMBOLDT AVE S
MINNEAPOLIS, MN 55408
Phone: 612-822-8555



DIANA R DELANEY
Deputy Clerk