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DEC 31 2009
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____
2009 DEC 30 PM 1 55

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	)	SPECIAL MASTER'S REPORT AND
	)	RECOMMENDATION; FINDINGS OF
Case No. 39576	)	FACT AND CONCLUSIONS OF LAW
	)	
	)	WATER RIGHT NOS.: 27-12127,
	)	27-12128, 27-12129, 27-12130, 27-12131,
	)	27-12132, 27-12133, 27-12134, AND
	)	27-12135
	)	

I. FINDINGS OF FACT

Claims were filed for these water rights pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources examined the water system for this reporting area. The *Director's Report* contained recommendations for the elements of these water rights.

Objections were filed by the Shoshone-Bannock Tribes on May 24, 2007. The *Objections* were resolved on Feb. 19, 2008 with *Standard Forms 5. Special Master's Reports and Recommendations* were filed April 11, 2008, and the SRBA District Court issued *Partial Decrees* on Sept. 29, 2008. However, the Idaho Department of Water Resources notified the court by letter November 18, 2008 that the original recommendations contained errors which needed to be corrected. The subcases were then sent back to the Special Master. *Order of Reference Appointing Special Master* (Jan 8, 2009). Several hearings were held regarding the needed corrections, and the parties to these subcases filed *Standard Forms 5/Amended Claims* on June 19, 2009. All parties to the subcases and IDWR are signatories to the *Standard Forms 5/Amended Claims*.

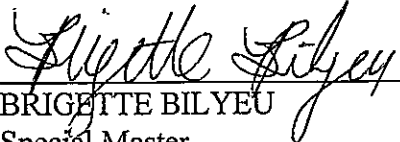
The *Standard Forms 5/Amended Claims* were placed on the Docket Sheet. No objections

were filed and the time for filing such objections has now expired. There are no unresolved objections remaining in these subcases.

II. CONCLUSIONS OF LAW

Therefore, based on the file and record herein, IT IS RECOMMENDED that these water rights be **decreed** with the elements set forth in the attached *Special Master's Recommendations for Amended Partial Decrees*.

DATED: December 30, 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

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 27-12127

2009 DEC 30 PM 1 55

NAME AND ADDRESS: CHESTERFIELD LAND & LIVESTOCK
ASSOC
1976 TELFORD RD
GRACE, ID 83241

SOURCE: SPRING TRIBUTARY: SINKS

QUANTITY: 0.02 CFS
4.52 AFY

The quantity of water under this right shall not exceed 13,000
gallons per day.
The rights listed below are limited to a total combined annual
diversion volume of 4.52 af. Combined Right Nos. 27-12127,
27-12134 and 27-12135.

PRIORITY DATE: 04/28/1884

POINT OF DIVERSION: T06S R40E S31 SESENW Within Caribou County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	05-01 TO 10-31	0.02 CFS
			4.52 AFY

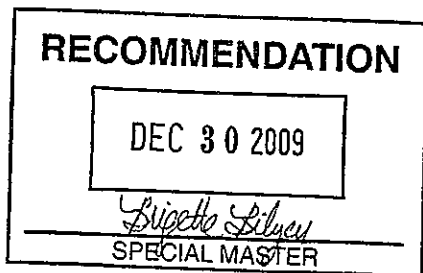
PLACE OF USE: Stockwater Within Caribou County
T06S R40E S31 SENW

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.



Eric J. Wildman
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
TWIN FALLS CO., IDAHO
FILED

2009 DEC 30 PM 1 55

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 27-12128

NAME AND ADDRESS: CHESTERFIELD LAND & LIVESTOCK
ASSOC
1976 TELFORD RD
GRACE, ID 83241

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DEPARTMENT OF
WATER RESOURCES

SOURCE: UNNAMED STREAM TRIBUTARY: TWENTYFOUR MILE CREEK

QUANTITY: 0.02 CFS
7.30 AFY

The quantity of water under this right shall not exceed 13,000
gallons per day.
The rights listed below are limited to a total combined annual
diversion volume of 7.90 af. Combined Right Nos.: 27-12119 and
27-12128.

PRIORITY DATE: 05/05/1925

POINT OF DIVERSION: T05S R39E S32 SWSW Within Caribou County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	05-01 TO 10-31	0.02 CFS
			7.30 AFY

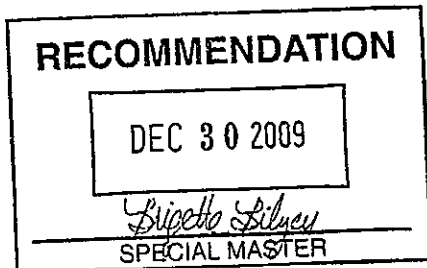
PLACE OF USE: Stockwater Within Caribou County
T05S R39E S32 SWSW

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.



Eric J. Wildman
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
TWIN FALLS CO., IDAHO
FILED

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 27-12129

2009 DEC 30 PM 1 55

NAME AND ADDRESS: CHESTERFIELD LAND & LIVESTOCK
ASSOC
1976 TELFORD RD
GRACE, ID 83241

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DEPARTMENT OF
WATER RESOURCES

SOURCE: UNNAMED STREAM TRIBUTARY: SINKS

QUANTITY: 0.02 CFS
5.65 AFY

The quantity of water under this right shall not exceed 13,000
gallons per day.
The rights listed below are limited to a total combined annual
diversion volume of 5.65 af. Combined Right Nos. 27-12129 and
27-12133.

PRIORITY DATE: 05/15/1917

POINT OF DIVERSION: T06S R39E S35 SENWNE Within Caribou County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	05-01 TO 10-31	0.02 CFS
			5.65 AFY

PLACE OF USE: Stockwater Within Caribou County
T06S R39E S35 SWNE

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.

RECOMMENDATION

DEC 30 2009

Bigetto Lilley
SPECIAL MASTER

Eric J. Wildman
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
TWIN FALLS CO., IDAHO
FILED

2009 DEC 30 PM 1 55

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 27-12130

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DEPARTMENT OF
WATER RESOURCES

NAME AND ADDRESS: CHESTERFIELD LAND & LIVESTOCK
ASSOC
1976 TELFORD RD
GRACE, ID 83241

SOURCE: SPRING TRIBUTARY: TWENTYFOUR MILE CREEK

QUANTITY: 0.02 CFS
3.95 AFY

The quantity of water under this right shall not exceed 13,000
gallons per day.
The rights listed below are limited to a total combined annual
diversion volume of 3.95 af. Combined Right Nos. 27-12130,
27-12131, 27-12132, 27-12123.

PRIORITY DATE: 05/15/1925

POINT OF DIVERSION: T06S R39E S15 SENENE (Instream Beginning Point) Within Caribou County
SENESW (Instream Ending Point)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	05-01 TO 10-31	0.02 CFS 3.95 AFY

PLACE OF USE:	Stockwater	Within Caribou County
	T06S R39E S15	NENE SENE NWSE

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.

RECOMMENDATION

DEC 30 2009

Bridgette Silvey
SPECIAL MASTER

Eric J. Wildman
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
TWIN FALLS CO., IDAHO
FILED _____

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 27-12131

2009 DEC 30 PM 1 55

NAME AND ADDRESS: CHESTERFIELD LAND & LIVESTOCK
ASSOC
1976 TELFORD RD
GRACE, ID 83241

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SOURCE: UNNAMED STREAM TRIBUTARY: TWENTYFOUR MILE CREEK

QUANTITY: 0.02 CFS
3.95 AFY

DEPARTMENT OF
WATER RESOURCES

The quantity of water under this right shall not exceed 13,000
gallons per day.
The rights listed below are limited to a total combined annual
diversion volume of 3.95 af. Combined Right Nos. 27-12130,
27-12131, 27-12132, 27-12123.

PRIORITY DATE: 11/23/1926

POINT OF DIVERSION: T06S R39E S10 NWSESE (Instream Beginning Point) Within Caribou County
NWSESE (Instream Ending Point)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	05-01 TO 10-31	0.02 CFS
			3.95 AFY

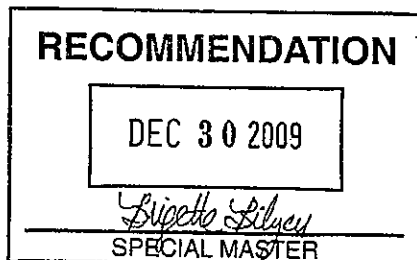
PLACE OF USE: Stockwater Within Caribou County
T06S R39E S10 SESE

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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judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

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DEPARTMENT OF
WATER RESOURCES

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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
TWIN FALLS CO., IDAHO

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 27-12133

FILED

2009 DEC 30 PM 1 55

NAME AND ADDRESS: CHESTERFIELD LAND & LIVESTOCK
ASSOC
1976 TELFORD RD
GRACE, ID 83241

SOURCE: UNNAMED STREAM TRIBUTARY: TWENTYFOUR MILE CREEK

QUANTITY: 0.02 CFS
5.65 AFY

The quantity of water under this right shall not exceed 13,000
gallons per day.
The rights listed below are limited to a total combined annual
diversion volume of 5.65 af. Combined Right Nos. 27-12129
and 27-12133.

PRIORITY DATE: 03/04/1930

POINT OF DIVERSION: T06S R39E S24 SWSWSW (Instream Ending Point) Within Caribou County
NWSESE (Instream Beginning Point)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	05-01 TO 10-31	0.02 CFS
			5.65 AFY

PLACE OF USE:	Stockwater	Within Caribou County
	T06S R39E S24	SESW
		SESE

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
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RULE 54(b) CERTIFICATE

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RECOMMENDATION

DEC 30 2009

Shirley L. Lacey
SPECIAL MASTER

Eric J. Wildman
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
TWIN FALLS CO., IDAHO

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 27-12134

FILED

2009 DEC 30 PM 1 55

NAME AND ADDRESS: CHESTERFIELD LAND & LIVESTOCK
ASSOC
1976 TELFORD RD
GRACE, ID 83241

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DEPARTMENT OF
WATER RESOURCES

SOURCE: SPRING TRIBUTARY: EIGHTEENMILE CREEK

QUANTITY: 0.02 CFS
4.52 AFY

The quantity of water under this right shall not exceed 13,000
gallons per day.
The rights listed below are limited to a total combined annual
diversion volume of 4.52 af. Combined Right Nos.: 27-12127,
27-12134 and 27-12135.

PRIORITY DATE: 02/25/1931

POINT OF DIVERSION: T06S R40E S33 NENWSW Within Caribou County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	05-01 TO 10-31	0.02 CFS
			4.52 AFY

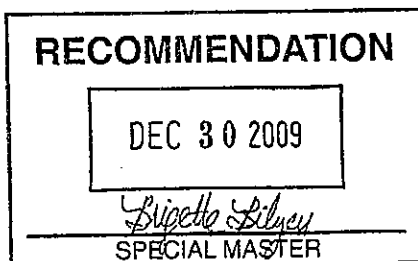
PLACE OF USE: Stockwater Within Caribou County
T06S R40E S33 NWSW

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
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RULE 54(b) CERTIFICATE

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Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

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TWIN FALLS CO., IDAHO
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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): 27-12127
27-12128 27-12129 27-12130
27-12131 27-12132 27-12133
27-12134 27-12135

On December 30, 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 December 30, 2009.


JANET CONNELL
Deputy Clerk

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DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
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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): 27-12127
27-12128 27-12129 27-12130
27-12131 27-12132 27-12133
27-12134 27-12135

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 December 30, 2009, with sufficient first-class postage prepaid to the following:

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

SHOSHONE-BANNOCK TRIBES
Represented by:
JEANETTE WOLFLEY
SPECIAL COUNSEL
SHOSHONE-BANNOCK TRIBE
202 N ARTHUR
POCATELLO, ID 83202
Phone: 208-232-1922

CERTIFICATE OF MAILING

PAGE 1
12/30/09

CHESTERFIELD LAND & LIVESTOCK

Represented by:

RANDALL C BUDGE

201 E CENTER, STE A2

PO BOX 1391

POCATELLO, ID 83204-1391

Phone: 208-232-6101


JANET CONNELL
Deputy Clerk