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DEC 31 2009

DEPARTMENT OF
WATER RESOURCES

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

2009 DEC 30 PM 2 57

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.: 27-12172,
	)	27-12173, 27-12174 and 27-12175
_____	)	(Separated from 27-11245, 27-11988, 27-11989)

I. FINDINGS OF FACT

Claims were filed for water rights 27-11245, 27-11988, and 27-11989 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.

An *Amended Directors' Report* was filed for water rights 27-12172, 27-12173, 27-12174, and 27-12175 on April 30, 2009. These *Director's Reports* are the in-stream stockwater rights which have been separated from water right numbers 27-11245, 27-11988, and 27-11989.

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.

II. CONCLUSIONS OF LAW

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: Dec. 30, 2009.


BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

CD DISTRICT COURT - SRBA
FALLS
TWIN FALLS CO., IDAHO
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DEPARTMENT OF
WATER RESOURCES

QUANTITY: 0.02 CFS
7.30 AFY

The rights listed below are limited to a total combined annual diversion volume of 11.29 AF for stockwater. Combined Right Nos.: 27-12172, 27-12173, 27-12174 and 27-12175.

POINT OF DIVERSION	T05S R39E S08	SENENE (Instream Beginning Point)	Within Caribou County
	S09	NENWNW (Instream Ending Point)	

PLACE OF USE:	Stockwater	Within Caribou County
	T05S R39E S08	NENE
	S09	NWNN

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)

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

Diagetto DiLucy

SPECIAL MASTER

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 27-12173

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

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SOURCE: GRAVE CREEK TRIBUTARY: BLACKFOOT RIVER

QUANTITY: 0.02 CFS
7.30 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 11.29 AF for stockwater. Combined Right Nos.:
27-12172, 27-12173, 27-12174 and 27-12175.

PRIORITY DATE: 08/03/1896

POINT OF DIVERSION: T05S R39E S04 LOT 3 (NWNENW) (Instream Ending Point) Within Caribou County
S09 SENWNW (Instream Beginning Point)
SENWNW (Instream Beginning Point)

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 S04 LOT 3 (NENW) LOT 4 (NWNW)	
	S09 SWNW NWSW	
	S09 NWNW	

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

Bridgette 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

In Re SRBA
Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 27-12174

FILED
2009 DEC 30 PM 2 57

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

SOURCE: GRAVE CREEK TRIBUTARY: BLACKFOOT RIVER

QUANTITY: 0.02 CFS
7.30 AFY

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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 11.29 AF for stockwater. Combined Right Nos.
27-12172, 27-12173, 27-12174 and 27-12175.

PRIORITY DATE: 07/07/1909

POINT OF DIVERSION: T04S R39E S33 LOT 4 (NESWSW) (Instream Ending Point) Within Bingham County
LOT 3 (SWSESW) (Instream Beginning Point)

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

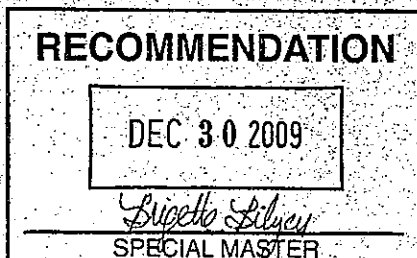
PLACE OF USE: Stockwater Within Bingham County
T04S R39E S33 LOT 4 (SWSW) LOT 3 (SESW)

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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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

DISTRICT COURT - SRBA
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS
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In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 27-12175

2009 DEC 30 PM 2 57

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DEPARTMENT OF
WATER RESOURCES

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

SOURCE: GRAVE CREEK TRIBUTARY: BLACKFOOT RIVER

QUANTITY: 0.02 CFS
5.60 AFY

The quantity of water under this right shall not exceed 13,000
gallons per day.

PRIORITY DATE: 07/07/1909

POINT OF DIVERSION: T05S R39E S35 NENWNW (Instream Ending Point) Within Caribou County
NESESW (Instream Beginning Point)

PURPOSE AND PERIOD OF USE	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	05-01 TO 10-31	0.02 CFS 5.60 AFY

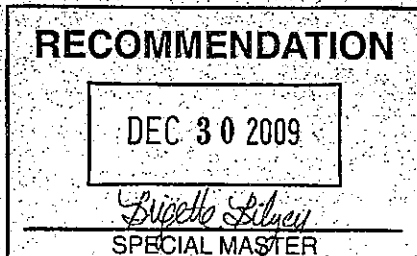
PLACE OF USE:	Stockwater	Within Caribou County
	T05S R39E S35	NWNW SENW SESW
		SNNW NESW

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.



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

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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): 27-12172
27-12173 27-12174 27-12175

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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WATER RESOURCES

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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

CERTIFICATE OF MAILING

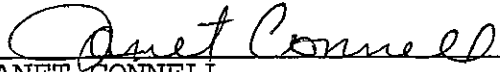
Water Right(s): 27-12172
27-12173 27-12174 27-12175

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

CHESTERFIELD LAND & LIVESTOCK
ASSOCIATION
1976 TELFORD RD
GRACE, ID 83241


JANET CONNELL
Deputy Clerk

CERTIFICATE OF MAILING

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12/30/09