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APR 22 2010

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
APR 21 2010	
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	)	Subcases 75-77A, 75-4337, 75-10061K and
	)	75-10296
Case No. 39576	)	(Carm-Ida Livestock)
	)	
	)	SPECIAL MASTER REPORT
	)	

Findings of Fact

On January 11, 2007, the Director of the Idaho Department of Water Resources filed his *Director's Report, Irrigation & Other Uses, Reporting Area 23, Basin 75*. The Director recommended the above four claims to Carm-Ida Livestock, P.O. Box 84, Carmen, Idaho, 83462, for between .29 cfs and 5.84 cfs from Carmen Creek to irrigate 219.7 acres in Lemhi County from April 1 to October 31 with priority dates between May 1, 1875, and April 1, 1915, based on a decree or beneficial use.

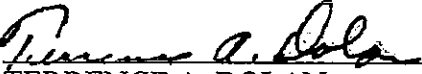
The United States of America, Department of Interior, Bureau of Land Management filed *Objections* in the subcases on October 16, 2007, objecting to place of use. Brandon McFarland (Carm-Ida Livestock) lodged late *Objections* in the subcases on November 26, 2007, objecting to quantity and place of use.

Carm-Ida was granted leave to file amended claims in the subcases on August 5, 2009, claiming more acreage and a longer season of use. IDWR filed its *Amended Director's Report* on February 4, 2010, recommending between .29 cfs and 8.47 cfs to irrigate 285.4 acres with the remark: "Place of use does not include federal public lands." No one objected to the *Amended Director's Report*.

Conclusions of Law

Carm-Ida is entitled to partial decrees adjudicating water rights as recommended by IDWR and as described in the attached *Special Master Recommendations for Water Rights 75-77A, 75-4337, 75-10061K and 75-10296*.

DATED April 21, 2010.


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 75-00077A

NAME AND ADDRESS: CARM-IDA LIVESTOCK
PO BOX 73
CARMEN, ID 83462

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.70 CFS

PRIORITY DATE: 05/01/1892

POINT OF DIVERSION: T23N R22E S24 SENENW Within Lemhi County
SESESW

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.70 CFS

PLACE OF USE:	Irrigation		Within Lemhi County
	T23N R22E S25	NWSW 9.2	SWSW 16.0
	S26	NENE 2.5	SWNE 4.1
		SENE 27.0	NESE 38.0
		NWSE 21.0	SWSE 35.0
		SESE 27.0	
	S35	NENE 27.0	NWNE 39.0
		SWNE 21.0	SENE 15.0
	S36	NWNW 3.6	
	285.4 Acres Total		

The rights listed below are limited to the irrigation of a combined total of 285.4 acres in a single irrigation season. Combined Right Nos.: 75-77A, 75-4337, 75-10061K and 75-10296. Place of use does not include federal public lands.

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

RECOMMENDATION

APR 21 2010

Thomas A. Olson
SPECIAL MASTER

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 75-04337

NAME AND ADDRESS: CARM-IDA LIVESTOCK
PO BOX 73
CARMEN, ID 83462

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 8.47 CFS

PRIORITY DATE: 04/01/1915

POINT OF DIVERSION: T23N R22E S24 SENENW Within Lemhi County
S25 SESESW
SESWNW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	5.84 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
T23N R22E S25	NWSW 9.2	SWSW 16.0
S26	NENE 2.5	SWNE 4.1
	SENE 27.0	NESE 38.0
	NWSE 21.0	SWSE 35.0
	SESE 27.0	
S35	NENE 27.0	NWNE 39.0
	SWNE 21.0	SENE 15.0
S36	NWNW 3.6	
285.4 Acres Total		

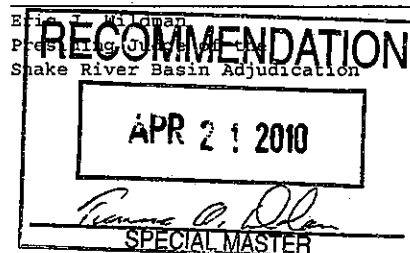
The rights listed below are limited to the irrigation of a combined total of 285.4 acres in a single irrigation season. Combined Right Nos.: 75-77A, 75-10061K, 75-10296 and 75-4337. Place of use does not include federal public lands.

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).

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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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 75-10061K

NAME AND ADDRESS: CARM-IDA LIVESTOCK
PO BOX 73
CARMEN, ID 83462

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.29 CFS

PRIORITY DATE: 05/01/1875

POINT OF DIVERSION: T23N R22E S24 SENENW Within Lemhi County
SESESW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.29 CFS

PLACE OF USE:	Irrigation		Within Lemhi County
	T23N R22E S25	NWSW 9.2	SWSW 16.0
	S26	NENE 2.5	SWNE 4.1
		SENE 27.0	NESE 38.0
		NWSE 21.0	SWSE 35.0
		SESE 27.0	
	S35	NENE 27.0	NWNE 39.0
		SWNE 21.0	SENE 15.0
	S36	NWNW 3.6	
	285.4 Acres Total		

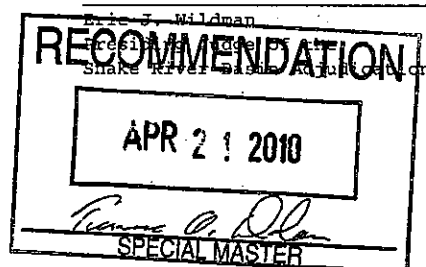
The rights listed below are limited to the irrigation of a combined total of 285.4 acres in a single irrigation season. Combined Right Nos.: 75-77A, 75-4337, 75-10061K and 75-10296. Place of use does not include federal public lands.

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).

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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)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 75-10296

NAME AND ADDRESS: CARM-IDA LIVESTOCK
PO BOX 73
CARMEN, ID 83462

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 1.96 CFS

PRIORITY DATE: 05/01/1882

POINT OF DIVERSION: T23N R22E S24 SENENW Within Lemhi County
SESESW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.96 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
T23N R22E S25	NWSW 9.2	SWSW 16.0
S26	NENE 2.5	SWNE 4.1
	SENE 27.0	NESE 38.0
	NWSE 21.0	SWSE 35.0
	SESE 27.0	
S35	NENE 27.0	NWNE 39.0
	SWNE 21.0	SENE 15.0
S36	NWNW 3.6	
285.4 Acres Total		

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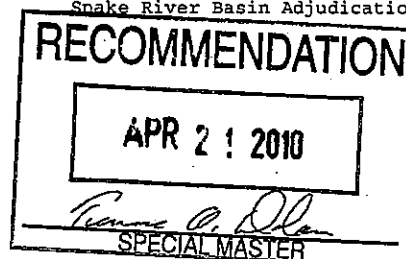
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Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication



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

APR 21 2010

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

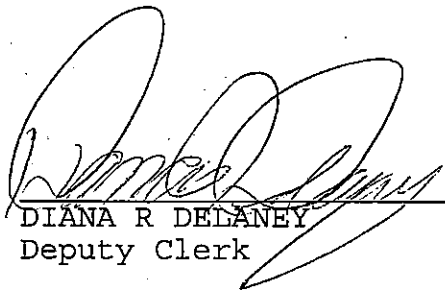
Water Right(s): 75-00077A
75-04337 75-10061K 75-10296

On April 21, 2010, 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 April 21, 2010.


DIANA R DELANEY
Deputy Clerk

DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
APR 21 2010	
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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 75-00077A
75-04337 75-10061K 75-10296

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 April 21, 2010, with sufficient first-class postage prepaid to the following:

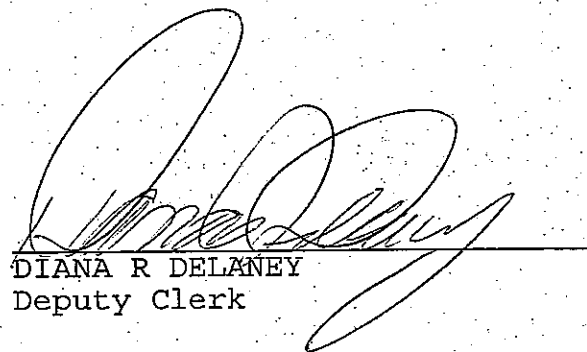
DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

BRANDON MC FARLAND
CARM-IDA LIVESTOCK
Represented by:
MILTON A. SLAVIN
ATTORNEY AT LAW
116 N CENTER ST.
SALMON, ID 83467
Phone: 208-756-2030

CERTIFICATE OF MAILING

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04/21/10

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724



DIANA R DELANEY
Deputy Clerk