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MAY 26 2010

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
MAY 23 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	)	Subcase 73-12037
	)	(Sullivan & Hall)
Case No. 39576	)	
	)	SPECIAL MASTER REPORT

Findings of Fact

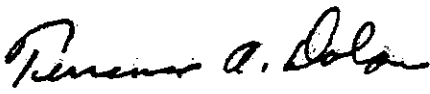
The Director of the Idaho Department of Water Resources filed his *Director's Report, Irrigation & Other Uses, Reporting Area 23, Basin 73* on January 25, 2007. He recommended claim 73-12037 to Dawn and Robert Sullivan, P.O. Box 205, Swan Valley, Idaho, 83449, and Garney and Victoria Hall, 1955 Oak Way, Arroyo Grande, California, 93420, for 4.6 cfs from Big Creek to irrigate 84.9 acres in Custer County from April 1 to October 31 with a priority date of May 10, 1911, based on a decree.

The Sullivans filed an *Objection* on December 6, 2007, objecting to quantity and priority date. On May 19, 2010, the claimants, with IDWR's concurrence, filed a *Standard Form 5* agreeing to irrigation of 268 acres.

Conclusions of Law

The Sullivans and the Halls are entitled to a partial decree adjudicating a water right as described in the *SF-5* and the attached *Special Master Recommendation for Partial Decree for Water Right 73-12037*.

DATED May 25, 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 73-12037

NAME AND ADDRESS: DAWN M SULLIVAN
ROBERT P SULLIVAN
PO BOX 205
SWAN VALLEY, ID 83449

GARNEY B HALL
VICTORIA F HALL
1955 OAK WY
ARROYO GRANDE, CA 93420

SOURCE: BIG CREEK TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 4.60 CFS

PRIORITY DATE: 05/10/1911

POINT OF DIVERSION: T13N R24E S21 SESENE Within Custer County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	4.60 CFS

PLACE OF USE:	Irrigation	Within Custer County
T13N R24E S19	SWNE 40.0	SENE 40.0
	NWSE 33.0	
S20	NWNE 15.0	SWNE 38.0
	NENW 22.0	SWNW 40.0
	SENE 40.0	
268.0 Acres Total		

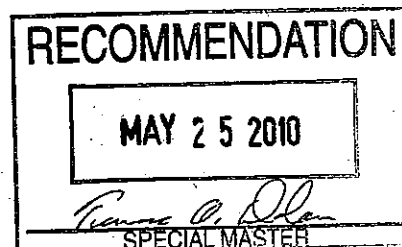
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

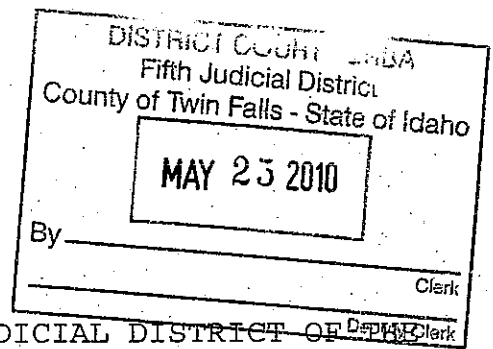
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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

In Re SRBA)

Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

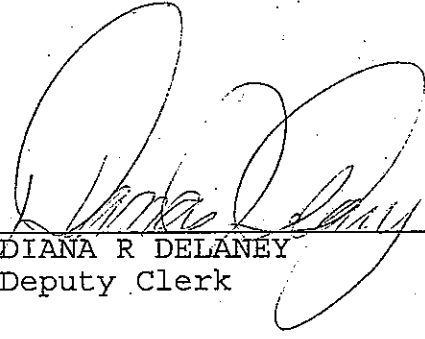
Water Right(s): 73-12037

On May 25, 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 May 25, 2010.



DIANA R DELANEY
Deputy Clerk

DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
MAY 25 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)

CERTIFICATE OF MAILING

Case No. 39576)

Water Right(s): 73-12037

CERTIFICATE OF MAILING

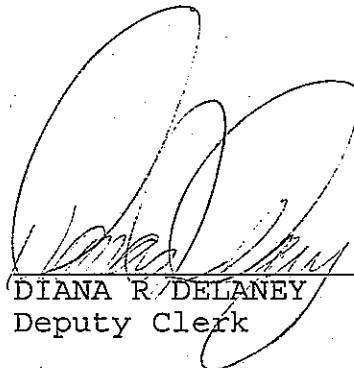
I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on May 25, 2010, with sufficient first-class postage prepaid to the following:

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

DAWN M SULLIVAN
ROBERT P & DAWN M SULLIVAN
ROBERT P SULLIVAN
Represented by:
CURT R THOMSEN
THOMSEN STEPHENS LAW OFFICES
PO BOX 600
CHALLIS, ID 83404
Phone: 208-879-6655

GARNEY B HALL
VICTORIA F HALL
1955 OAK WY
ARROYO GRANDE, CA 93420
Phone: 805-489-6983

CERTIFICATE OF MAILING


DIANA R. DELANEY
Deputy Clerk

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05/25/10