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OCT 21 2010
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
OCT 20 2010	
3y _____	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 73-12050, 73-12056 and 73-12059
	)	(Northwest Fidelity Trust)
Case No. 39576	)	
	)	SPECIAL MASTER REPORT

Findings of Fact

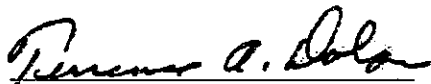
The Director of the Idaho Department of Water Resources filed his *Director's Report, Irrigation & Other Uses, Reporting Area 23, Basin 73* on January 25, 2007. He recommended the claims to Northwest Fidelity Trust, P.O. Box 133, May, Idaho, 83253, for .82 cfs, 4.9 cfs and .77 cfs from Big Creek to irrigate 162 acres in Custer and Lemhi Counties from April 1 to October 31 with priority dates of October 19, 1903, June 1, 1895, and December 7, 1905, based on a decree.

The United States of America, Department of Interior, Bureau of Land Management filed *Objections* on December 18, 2007, objecting to place of use. The claimant filed *Objections* on December 19, 2007, also objecting to place of use. On October 20, 2010, the claimant and BLM, with IDWR's concurrence, filed *Standard Forms 5* agreeing to irrigation of 226.9 acres.

Conclusions of Law

Northwest Fidelity Trust is entitled to partial decrees adjudicating water rights as described in the *SF-5s* and the attached *Special Master Recommendations for Partial Decrees for Water Rights 73-12050, 73-12056 and 73-12059*.

DATED October 20, 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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 73-12050

NAME AND ADDRESS: NORTHWEST FIDELITY TRUST
PO BOX 133
MAY, ID 83253

SOURCE: BIG CREEK TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 0.82 CFS

PRIORITY DATE: 10/19/1903

POINT OF DIVERSION: T13N R24E S18 SESESW Within Custer County
SWSESE Within Lemhi County
SESESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.82 CFS

PLACE OF USE:	Irrigation	Within Custer & Lemhi County
	T13N R23E S12	SWSE 23.0
	S13	NENE 19.0
		NWNE 41.0
		SENE 40.0
		SESE 3.9
	R24E S18 LOT 2	(SWNW)13.0
		LOT 3 (NWSW)19.0
	226.9 Acres Total	

Right Nos. 73-12050, 73-12056, 73-12059 and 73-12089 are limited to the irrigation of a combined total of 226.9 acres in a single irrigation season.

Right Nos. 73-12050, 73-12053, 73-12056, 73-12059 and 73-12089 are limited to the irrigation of a combined total of 228 acres in a single irrigation season.

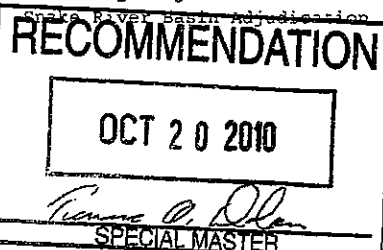
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 73-12056

NAME AND ADDRESS: NORTHWEST FIDELITY TRUST
PO BOX 133
MAY, ID 83253

SOURCE: BIG CREEK TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 4.90 CFS

PRIORITY DATE: 06/01/1895

POINT OF DIVERSION: T13N R24E S18 SESESW Within Custer County
SWSESE Within Lemhi County
SESESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	4.90 CFS

PLACE OF USE:	Irrigation	Within Custer & Lemhi County
	T13N R23E S12 SWSE 23.0	
	S13 NENE 19.0 NWNE 41.0	
	SWNE 34.0 SENE 40.0	
	NESE 34.0 SESE 3.9	
	R24E S18 LOT 2 (SWNW)13.0 LOT 3 (NWSW)19.0	
	226.9 Acres Total	

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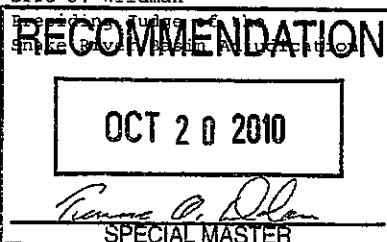
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Eric J. Wildman



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 73-12059

NAME AND ADDRESS: NORTHWEST FIDELITY TRUST
PO BOX 133
MAY, ID 83253

SOURCE: BIG CREEK TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 0.77 CFS

PRIORITY DATE: 12/07/1905

POINT OF DIVERSION: T13N R24E S18 SESESW Within Custer County
SESESE Within Lemhi County
SWSESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.77 CFS

PLACE OF USE:	Irrigation	Within Custer & Lemhi County
	T13N R23E S12 SWSE 23.0	
	S13 NENE 19.0 NWNE 41.0	
	SWNE 34.0 SENE 40.0	
	NESE 34.0 SESE 3.9	
	R24E S18 LOT 2 (SWNW)13.0 LOT 3 (NWSW)19.0	
	226.9 Acres Total	

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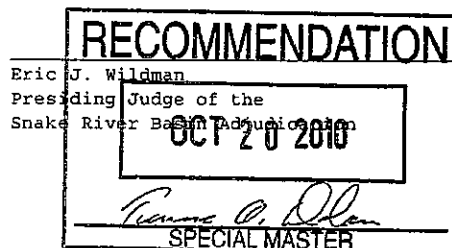
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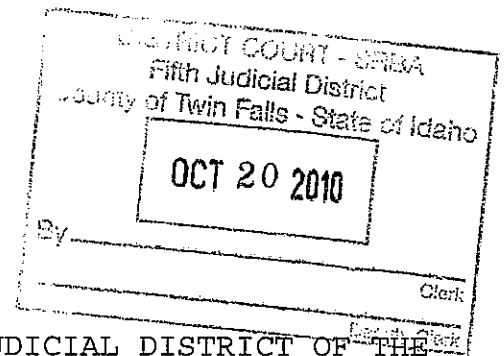
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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

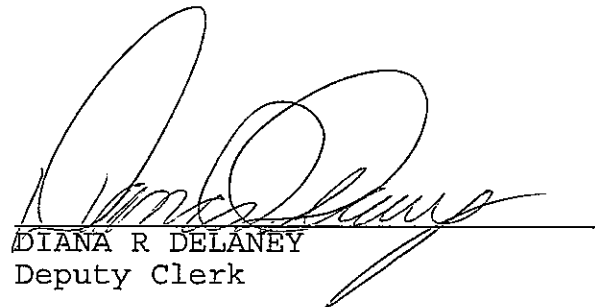
Water Right(s): 73-12050
73-12056 73-12059

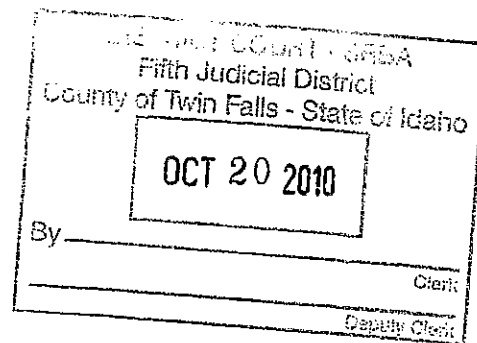
On October 20, 2010, Special Master TERRENCE A. DOLAN issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (A01), Section 13a.

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 October 20, 2010.


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): 73-12050
73-12056 73-12059

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 October 20, 2010, with sufficient first-class postage prepaid to the following:

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

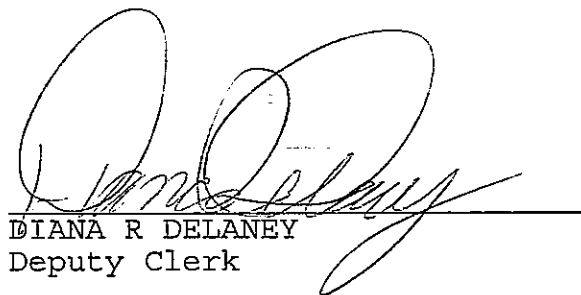
NORTHWEST FIDELITY TRUST

Represented by:
JAMES P. SPECK
SPECK & AANESTAD
120 EAST AVENUE
PO BOX 987
KETCHUM, ID 83340
Phone: 208-726-4421

CERTIFICATE OF MAILING

PAGE 1
10/20/10

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