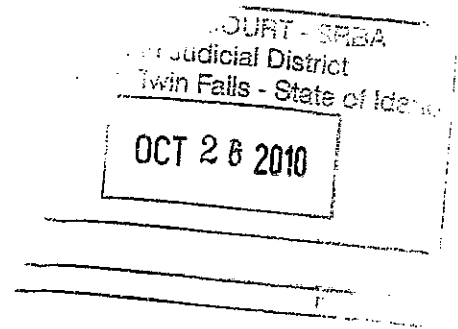


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OCT 27 2010

DEPARTMENT OF
WATER RESOURCES



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

) Subcases 73-12053 and 73-12089
) (Northwest Fidelity Trust)

) 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. The Director recommended claim 73-12053 to Northwest Fidelity Trust, P.O. Box 133, May, Idaho, 83253, for .88 cfs from Stinking Creek to irrigate 60.2 acres in Lemhi County from April 1 to October 31 with a priority date of October 19, 1903, based on a decree. The Director recommended claim 73-12089 be disallowed: "Claim incomplete."

The claimant filed an *Objection* in subcase 73-12089 on December 19, 2007, objecting to the claim not being recommended as claimed. On October 21, 2010, the claimant, with IDWR's concurrence, filed *Standard Forms 5* in both subcases.

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 73-12053 and 73-12089*.

DATED October 26, 2010.

A handwritten signature in black ink, reading "Terrence A. Dolan".

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 73-12089

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

SOURCE: BIG CREEK TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 2.59 CFS

PRIORITY DATE: 06/04/1921

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	2.59 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	

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.

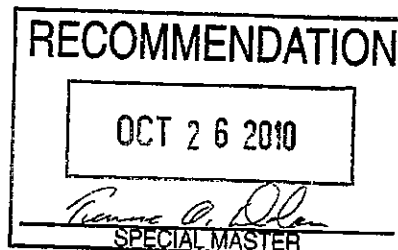
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 }
 }
Case No. 39576 }
 }
 } PARTIAL DECREE PURSUANT TO
 } I.R.C.P. 54(b) FOR
 } Water Right 73-12053

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

SOURCE: STINKING CREEK TRIBUTARY: BIG CREEK

QUANTITY: 0.88 CFS

PRIORITY DATE: 10/19/1903

POINT OF DIVERSION: T13N R24E S18 NENE Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.88 CFS

PLACE OF USE:	Irrigation		Within Custer & Lemhi County
	T13N R23E S12	SWSE 21.0	
	S13	NENE 15.0	NWNE 9.8
		SENE 8.5	
	R24E S18 LOT 2	(SWNW) 12.0	LOT 3 (NWSW) 2.9
	69.2 Acres Total		

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.

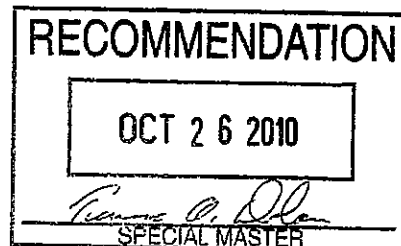
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

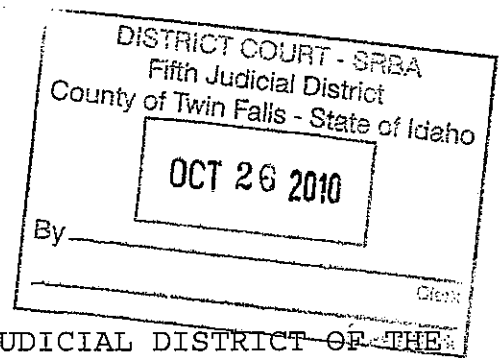
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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)
Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

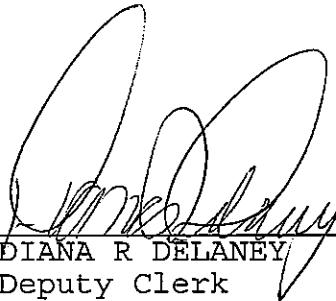
Water Right(s): 73-12053
73-12089

On October 26, 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.

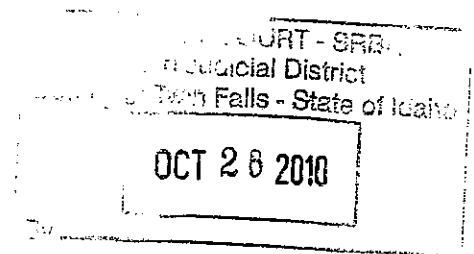
Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

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 October 26, 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): 73-12053
73-12089

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 26, 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



DIANA R. DELANEY
Deputy Clerk

CERTIFICATE OF MAILING

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10/26/10