

RECEIVED
JAN 27 2011
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho
JAN 26 2011
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 75-4005, 75-10061AH,
Case No. 39576) 75-10062AG, 75-13313 and 75-13314
(Campbell)
) 2nd SPECIAL MASTER REPORT
_____)

Findings of Fact

On June 14, 2010, the Special Master entered a *Report and Recommendation* recommending the five *Partial Decrees*, in the name of John W. Campbell, P.O. Box 49, Carmen, Idaho, 83462-0049, be set aside to correct several elements. On August 5, 2010, SRBA Presiding Judge Eric J. Wildman set aside the *Partial Decrees*. Then, on January 19, 2011, Mr. Campbell and intervenor Tom McFarland, with IDWR's concurrence, filed *Standard Forms 5*.

Conclusions of Law

Mr. Campbell is entitled to amended partial decrees adjudicating water rights as described in the attached *Special Master Recommendations for Amended Partial Decrees for Water Rights 75-4005, 75-10061AH, 75-10062AG, 75-13313 and 75-13314*.

DATED January 26, 2011.

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 75-04005

NAME AND ADDRESS: JOHN WAYNE CAMPBELL
PO BOX 49
CARMEN, ID 83462-0049

SOURCE: FREEMAN CREEK TRIBUTARY: CARMEN CREEK

QUANTITY: 3.70 CFS

PRIORITY DATE: 04/01/1915

POINT OF DIVERSION: T23N R22E S36 NWSE Within Lemhi County
R23E S31 NWSW
NWSE

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 04-01 TO 11-15 3.70 CFS

PLACE OF USE: Irrigation Within Lemhi County
T22N R22E S02 LOT 1 (NENE) 3.4
T23N R22E S35 NESE 10.0 SWSE 4.1
SESE 17.0
S36 NESW 16.0 NWSW 26.0
SWSW 19.0 SESW 8.0
NWSE 0.6
104.1 Acres Total

The rights listed below are limited to the irrigation of a
combined total of 104.1 acres in a single irrigation season.
Combined Right Nos.: 75-13313, 75-13314, 75-10061AH, 75-10062AG
and 75-4005.

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

JAN 26 2011

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

NAME AND ADDRESS: JOHN WAYNE CAMPBELL
PO BOX 49
CARMEN, ID 83462-0049

SOURCE: FREEMAN CREEK TRIBUTARY: CARMEN CREEK

QUANTITY: 0.29 CFS

PRIORITY DATE: 05/01/1975

POINT OF DIVERSION: T23N R22E S36 NWNESE Within Lemhi County
R23E S31 NWSW
NWSE

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
	T22N R22E S02 LOT 1 (NENE) 3.4	
	T23N R22E S35 NESE 10.0	SWSE 4.1
	SESE 17.0	
	S36 NESW 16.0	NWSW 26.0
	SWSW 19.0	SESW 8.0
	NWSE 0.6	
	104.1 Acres Total	

The rights listed below are limited to the irrigation of a combined total of 104.1 acres in a single irrigation season. Combined Right Nos.: 75-13313, 75-13314, 75-10061AH, 75-10062AG and 75-4005.

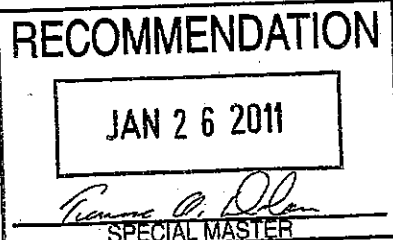
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 75-10062AG

NAME AND ADDRESS: JOHN WAYNE CAMPBELL
PO BOX 49
CARMEN, ID 83462-0049

SOURCE: FREEMAN CREEK TRIBUTARY: CARMEN CREEK

QUANTITY: 0.16 CFS

PRIORITY DATE: 05/01/1882

POINT OF DIVERSION: T23N R22E S36 NWNESE Within Lemhi County
R23E S31 NWSW
NWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.16 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T22N R22E S02 LOT 1 (NENE) 3.4	
	T23N R22E S35 NESE 10.0	SWSE 4.1
		SESE 17.0
	S36 NESW 16.0	NWSW 26.0
		SWSW 19.0
		SESW 8.0
		NWSE 0.6
	104.1 Acres Total	

The rights listed below are limited to the irrigation of a combined total of 104.1 acres in a single irrigation season. Combined Right Nos.: 75-13313, 75-13314, 75-10061AH, 75-10062AG and 75-4005.

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

JAN 26 2011

Thomas A. Olson
SPECIAL MASTER

In Re SRBA) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 75-13313

PAGE 1
19-2011

In Re SRBA.)
)
Case No. 39576)
)

NAME AND ADDRESS: JOHN WAYNE CAMPBELL
PO BOX 49
CARMEN, ID 83462-0049

SOURCE: UNNAMED STREAM TRIBUTARY: SINKS

QUANTITY: 0.11 CFS

PRIORITY DATE: 06/13/1912

POINT OF DIVERSION: T23N R22E S36 NSW Within Lemhi County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	04-01 TO 10-31	0.11 CFS

PLACE OF USE: Irrigation Within Lemhi County

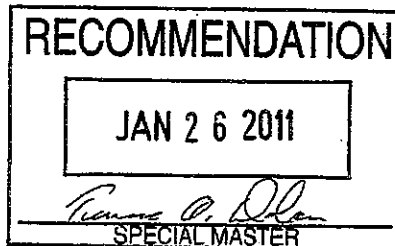
T23N R22E S36	NESE 5.0	SESE 0.2
5.2 Acres Total		

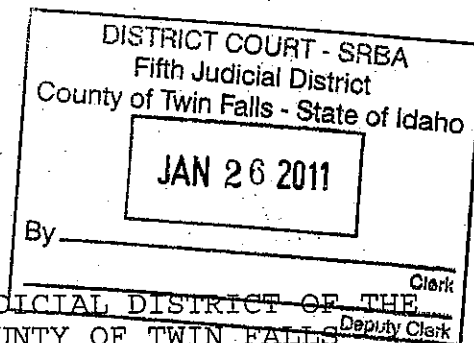
The rights listed below are limited to the irrigation of a combined total of 104.1 acres in a single irrigation season. Combined Right Nos.: 75-13313, 75-13314, 75-10061AH, 75-10062AG and 75-4005.

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.

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

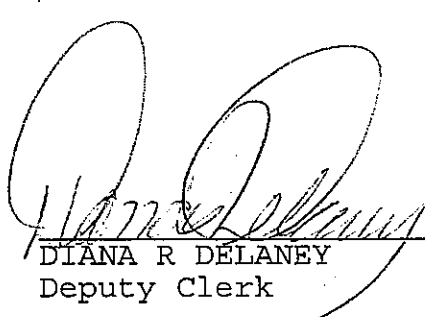
Water Right(s): 75-04005
75-10061AH 75-10062AG 75-13313
75-13314

On January 26, 2011, 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 January 26, 2011.


DIANA R DELANEY
Deputy Clerk

DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
JAN 26 2011	
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): 75-04005
75-10061AH 75-10062AG 75-13313
75-13314

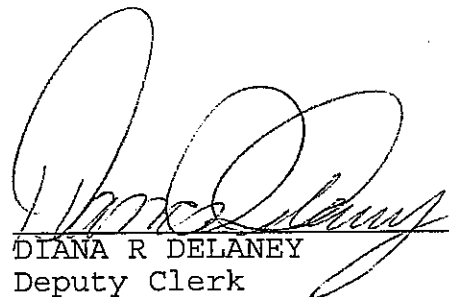
CERTIFICATE OF MAILING

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 January 26, 2011, with sufficient first-class postage prepaid to the following:

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

TOM MCFARLAND
PO BOX 127
CARMEN, ID 83462

JOHN WAYNE CAMPBELL
PO BOX 49
CARMEN, ID 83462-0049
Phone: 208-756-4241


DIANA R DELANEY
Deputy Clerk

CERTIFICATE OF MAILING