

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
FEB - 9 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 75-69B (Hudson), et al.**
) (see attached list of 21 subcases)
Case No. 39576)
) **SPECIAL MASTER REPORT**
 _____)

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 DEPARTMENT OF
 WATER RESOURCES

Findings of Fact

The Director of the Idaho Department of Water Resources filed his *Director's Report, Irrigation & Other Uses, Reporting Area 23, Basin 75* on January 11, 2007. The Director recommended 18 of the above 21 claims to divert between .007 cfs and .58 cfs from Carmen Creek for year-'round stockwater use and to irrigate between 4.1 acres and 11.2 acres in Lemhi County from April 1 to October 31 with priority dates of May 1, 1888, or May 1, 1892, based a decree.

Late *Objections* were lodged on January 8, 2008, by Albert and Alvera Fols, Tracy Marcia, A.C. and Luella Pilkerton, Charles and Mary Harling, Lloyd and Sheryl Tutor and Marci Dixon objecting to quantity.

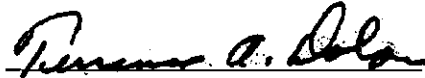
Amended late claims 75-14591 (Yowell), 75-14592 (Yowell) and 75-14593 (Cabigas) were granted on June 17, 2009, and the Director filed his *Director's Report for Late Claims* on November 30, 2009. The Director recommended the claims to divert .025 cfs, .033 cfs and .007 cfs from Carmen Creek to irrigate 5 acres, 5 acres and 3 acres from April 1 to October 31 with a priority date of May 1, 1888, or May 1, 1892, based on a decree.

IDWR filed its *Supplemental Director's Report* in a total of 75 subcases, including these 21 subcases, on January 14, 2010. No one objected to IDWR's amended recommendations of these claims.

Conclusions of Law

The claimants are entitled to partial decrees adjudicating water rights as described in the *Supplemental Director's Report* and the attached *Special Master Recommendations for Partial Decrees for Water Rights*.

DATED February 9, 2011.



TERRENCE A. DOLAN

Special Master

Snake River Basin Adjudication

75-00069B	HUDSON
75-00069F	TIPPETT
75-00069K	MOSHER
75-00069P	MATTIS
75-00069Q	EDMISTON
75-00069W	EISENHAUER
75-00069X	HERSHEY
75-00070B	HUDSON
75-00070F	TIPPETT
75-00070K	MOSHER
75-00070P	MATTIS
75-00070Q	EDMISTON
75-00070S	JACKSON
75-00070X	EISENHAUER
75-00070Y	HERSHEY
75-10678	CABIGAS
75-14387	FADNESS
75-14393	FADNESS
75-14591	YOWELL
75-14592	YOWELL
75-14593	CABIGAS

CARMEN

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 75-00069B

NAME AND ADDRESS: JAMES PAUL HUDSON
PO BOX 173
CARMEN, ID 83462

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.055 CFS

The rights listed below are limited to a total combined
diversion rate of 0.45 cfs. Combined Right Nos.: 75-69B, 75-70B,
75-10061B, 75-10062C, 75-10079 and 75-10080.

PRIORITY DATE: 05/01/1888

POINT OF DIVERSION: T22N R22E S02 LOT 4 (NWNW) Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.055 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T22N R22E S03	SENE 10.2
	11.2 Acres Total	NESE 1.0

The rights listed below are limited to the irrigation of a
combined total of 11.2 acres in a single irrigation season.
Combined Right Nos.: 75-69B, 75-70B, 75-10061B, 75-10062C,
75-10079 and 75-10080.

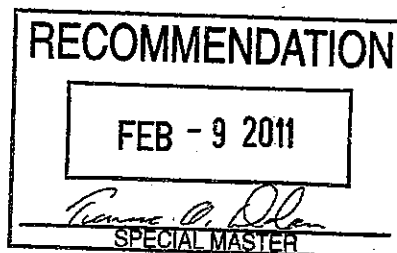
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 75-00069F

NAME AND ADDRESS: CATHLEEN TIPPETT
JAMES R TIPPETT
PO BOX 15
CARMEN, ID 83462

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.013 CFS

PRIORITY DATE: 05/01/1888

POINT OF DIVERSION: T23N R22E S35 NENE Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.013 CFS

PLACE OF USE: Irrigation Within Lemhi County
T22N R22E S03 LOT 2 (NWNE) 1.4 SWNE 2.7
4.1 Acres Total

The rights listed below are limited to the irrigation of a
combined total of 4.1 acres in a single irrigation season.
Combined Right Nos.: 75-69F, 75-70F, 75-2025C, 75-10061J and
75-10062H.

This right is limited to the irrigation of 2.6 acres within the
place of use described above in a single irrigation season.

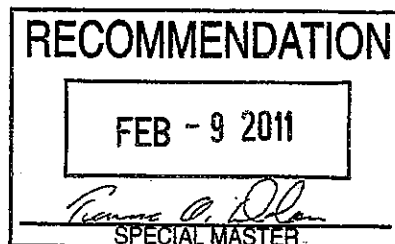
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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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 75-00069K

NAME AND ADDRESS: FRANCISKA MOSHER
ROBERT D MOSHER
54 PARMENTER RD
PO BOX 213
CARMEN, ID 83462-0213

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.03 CFS

PRIORITY DATE: 05/01/1888

POINT OF DIVERSION: T22N R22E S02 NWNW Within Lemhi County
T23N R22E S35 NENE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.03 CFS

PLACE OF USE: Irrigation Within Lemhi County
T22N R22E S03 SWNE 6.0
6.0 Acres Total

The rights listed below are limited to the irrigation of a combined total of 6 acres in a single irrigation season.
Combined Right Nos.: 75-69K, 75-70K, 75-2025E, 75-10061T and 75-10062R.

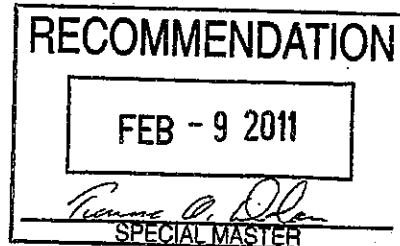
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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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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 75-00069P

NAME AND ADDRESS: SHIRLEY J MATTIS
PO BOX 265
CARMEN, ID 83462

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.033 CFS

The rights listed below are limited to a total combined
diversion rate of 0.27 cfs. Combined Right Nos.: 75-69P, 75-70P,
75-10061Z, 75-10062X, 75-10543 and 75-10544.
The quantity of water under this right for stockwater use shall
not exceed 13,000 gallons per day.

PRIORITY DATE: 05/01/1888

POINT OF DIVERSION: T22N R22E S02 LOT 4 (NWNW) Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.033 CFS
	Stockwater	01-01 TO 12-31	0.02 CFS

PLACE OF USE: Irrigation . . . Within Lemhi County
T22N R22E S03 SWNE 6.4 NWSE 0.3
6.7 Acres Total

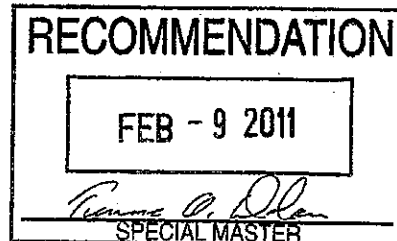
Stockwater Within Lemhi County
Same as Irrigation

The rights listed below are limited to the irrigation of a
combined total of 6.7 acres in a single irrigation season.
Combined Right Nos.: 75-69P, 75-70P, 75-10061Z, 75-10062X,
75-10543 and 75-10544.

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

The quantity of water decreed for this water right for
stockwater use is not a determination of historical beneficial
use.

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
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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 75-00069Q

NAME AND ADDRESS: RODNEY HUGH EDMISTON
SUSAN FRANCINE EDMISTON
PO BOX 155
CARMEN, ID 83462

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.015 CFS

PRIORITY DATE: 05/01/1888

POINT OF DIVERSION: T23N R22E S35 NENE Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.015 CFS

PLACE OF USE: Irrigation Within Lemhi County
T22N R22E S03 SWNE 4.0 SENW 3.1
7.1 Acres Total

The rights listed below are limited to the irrigation of a combined total of 7.1 acres in a single irrigation season. Combined Right Nos.: 75-69Q, 75-70Q, 75-10061AA, 75-10062Y and 75-2025J. This right is limited to the irrigation of 3.1 acres within the place of use described above in a single irrigation season. PLACE OF USE DOES NOT INCLUDE FEDERAL PUBLIC LANDS.

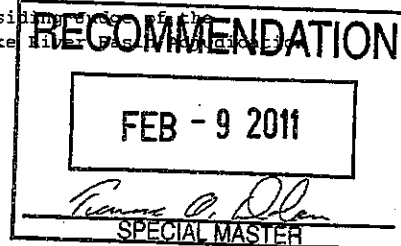
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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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Presiding Judge
Snake River Falls, Idaho



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
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In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 75-00069W

NAME AND ADDRESS: PHILLIP G EISENHAUER
SHELLEY L ERWIN
1306 W VISTA VIEW
WASHINGTON, UT 84780

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.022 CFS

PRIORITY DATE: 05/01/1888

POINT OF DIVERSION: T23N R22E S35 NENE Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.022 CFS

PLACE OF USE: Irrigation Within Lemhi County
T22N R22E S03 SWNE 1.9 SENE 2.5
4.4 Acres Total

The rights listed below are limited to the irrigation of a
combined total of 4.4 acres in a single irrigation season.
Combined Right Nos.: 75-69W, 75-70X, 75-2025L, 75-10136A and
75-10137A.

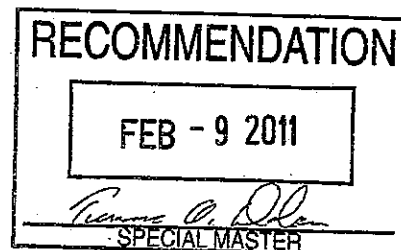
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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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 75-00069X

NAME AND ADDRESS: TERRY J HERSHEY
VERALYN E HERSHEY
PO BOX 121
CARMEN, ID 83462

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.022 CFS

PRIORITY DATE: 05/01/1888

POINT OF DIVERSION: T23N R22E S35 NENE Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.022 CFS

PLACE OF USE: Irrigation Within Lemhi County
T22N R22E S03 SWNE 4.5
4.5 Acres Total

The rights listed below are limited to the irrigation of a
combined total of 4.5 acres in a single irrigation season.
Combined Right Nos.: 75-69X, 75-70Y, 75-2025M, 75-10136B and
75-10137B.

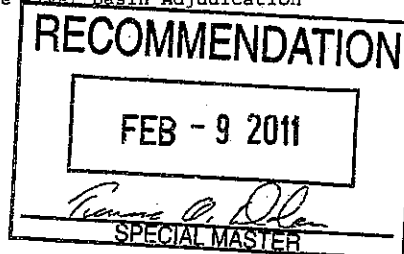
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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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 75-00070B

NAME AND ADDRESS: JAMES PAUL HUDSON
PO BOX 173
CARMEN, ID 83462

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.075 CFS

The rights listed below are limited to a total combined
diversion rate of .45 cfs. Combined Right Nos.: 75-69B, 75-70B,
75-10061B, 75-10062C, 75-10079 and 75-10080.

PRIORITY DATE: 05/01/1892

POINT OF DIVERSION: T22N R22E S02 LOT 4 (NWNW) Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.075 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T22N R22E S03	SENE 10.2
	11.2 Acres Total	NESE 1.0

The rights listed below are limited to the irrigation of a
combined total of 11.2 acres in a single irrigation season.
Combined Right Nos.: 75-69B, 75-70B, 75-10061B, 75-10062C,
75-10079 and 75-10080.

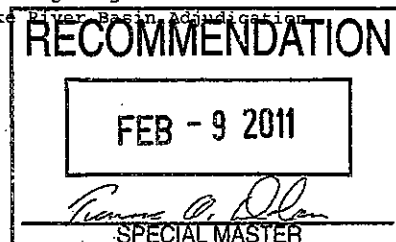
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In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 75-00070F

NAME AND ADDRESS: CATHLEEN TIPPETT
JAMES R TIPPETT
PO BOX 15
CARMEN, ID 83462

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.017 CFS

PRIORITY DATE: 05/01/1892

POINT OF DIVERSION: T23N R22E S35 NENE Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.017 CFS

PLACE OF USE: Irrigation Within Lemhi County
T22N R22E S03 LOT 2 (NWNE) 1.4 SWNE 2.7
4.1 Acres Total

The rights listed below are limited to the irrigation of a combined total of 4.1 acres in a single irrigation season. Combined Right Nos.: 75-69F, 75-70F, 75-2025C, 75-10061J and 75-10062H.

This right is limited to the irrigation of 2.6 acres within the place of use described above in a single irrigation season.

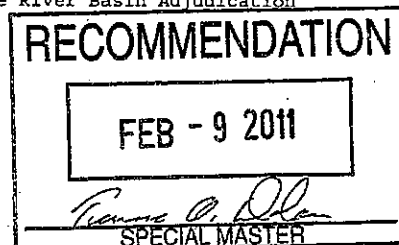
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In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 75-00070K

NAME AND ADDRESS: FRANCISKA MOSHER
ROBERT D MOSHER
54 PARMENTER RD
PO BOX 213
CARMEN, ID 83462-0213

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.04 CFS

PRIORITY DATE: 05/01/1892

POINT OF DIVERSION: T22N R22E S02 NWNW Within Lemhi County
T23N R22E S35 NENE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.04 CFS

PLACE OF USE: Irrigation Within Lemhi County
T22N R22E S03 SWNE 6.0
6.0 Acres Total

The rights listed below are limited to the irrigation of a combined total of 6 acres in a single irrigation season. Combined Right Nos.: 75-69K, 75-70K, 75-2025E, 75-10061T and 75-10062R.

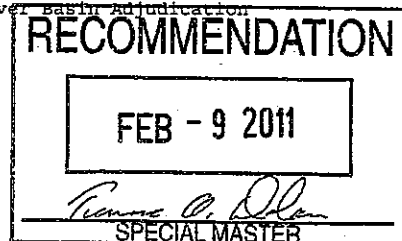
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Snake River Basin Adjudication



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 75-00070P

NAME AND ADDRESS: SHIRLEY J MATTIS
PO BOX 265
CARMEN, ID 83462

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.045 CFS

The rights listed below are limited to a total combined
diversion rate of 0.27 cfs. Combined Right Nos.: 75-69P, 75-70P,
75-10061Z, 75-10062X, 75-10543 and 75-10544.
The quantity of water under this right for stockwater use shall
not exceed 13,000 gallons per day.

PRIORITY DATE: 05/01/1892

POINT OF DIVERSION: T22N R22E S02 LOT 4 (NWNW) Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.045 CFS
	Stockwater	01-01 TO 12-31	0.02 CFS

PLACE OF USE: Irrigation T22N R22E S03 SWNE 6.4 NWSE 0.3
6.7 Acres Total Within Lemhi County

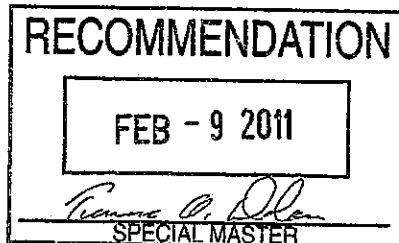
Stockwater Within Lemhi County
Same as Irrigation

The rights listed below are limited to the irrigation of a
combined total of 6.7 acres in a single irrigation season.
Combined Right Nos.: 75-69P, 75-70P, 75-10061Z, 75-10062X,
75-10543 and 75-10544.

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

The quantity of water decreed for this water right for
stockwater use is not a determination of historical beneficial
use.

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).



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 75-00070Q

NAME AND ADDRESS: RODNEY HUGH EDMISTON
SUSAN FRANCINE EDMISTON
PO BOX 155
CARMEN, ID 83462

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.021 CFS

PRIORITY DATE: 05/01/1892

POINT OF DIVERSION: T23N R22E S35 NENE Within Lemhi County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 04-01 TO 10-31 0.021 CFS

PLACE OF USE: Irrigation Within Lemhi County
T22N R22E S03 SWNE 4.0 SENW 3.1
7.1 Acres Total

The rights listed below are limited to the irrigation of a combined total of 7.1 acres in a single irrigation season. Combined Right Nos.: 75-69Q, 75-70Q, 75-10061AA, 75-10062Y and 75-2025J.
This right is limited to the irrigation of 3.1 acres within the place of use described above in a single irrigation season.
PLACE OF USE DOES NOT INCLUDE FEDERAL PUBLIC LANDS.

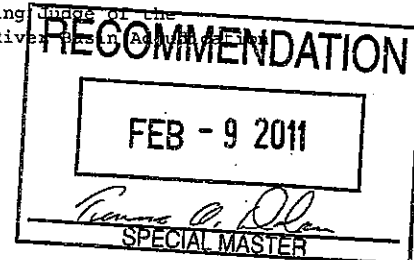
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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



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 75-00070S

NAME AND ADDRESS: DONNA K JACKSON
THOMAS M JACKSON
PO BOX 47
CARMEN, ID 83462

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.056 CFS

PRIORITY DATE: 05/01/1892

POINT OF DIVERSION: T22N R22E S02 LOT 4 (NWNW) Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.056 CFS

PLACE OF USE: Irrigation Within Lemhi County
T22N R22E S03 SENE 8.4
8.4 Acres Total

The rights listed below are limited to the irrigation of a
combined total of 8.4 acres in a single irrigation season.
Combined Right Nos.: 75-70S, 75-10062AB and 75-1070S

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 75-00070X

NAME AND ADDRESS: PHILLIP G EISENHAUER
SHELLEY L ERWIN
1306 W VISTA VIEW
WASHINGTON, UT 84780

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.029 CFS

PRIORITY DATE: 05/01/1892

POINT OF DIVERSION: T23N R22E S35 NENE Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.029 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T22N R22E S03 SWNE 1.9	SENE 2.5
	4.4 Acres Total	

The rights listed below are limited to the irrigation of a
combined total of 4.4 acres in a single irrigation season.
Combined Right Nos.: 75-69W, 75-70X, 75-2025L, 75-10136A and
75-10137A.

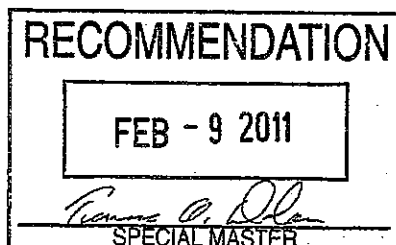
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 75-00070Y

NAME AND ADDRESS: TERRY J HERSHEY
VERALYN E HERSHEY
PO BOX 121
CARMEN, ID 83462

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.03 CFS

PRIORITY DATE: 05/01/1892

POINT OF DIVERSION: T23N R22E S35 NENE Within Lemhi County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 04-01 TO 10-31 0.03 CFS

PLACE OF USE: Irrigation Within Lemhi County
T22N R22E S03 SWNE 4.5
4.5 Acres Total

The rights listed below are limited to the irrigation of a
combined total of 4.5 acres in a single irrigation season.
Combined Right Nos.: 75-69X, 75-70Y, 75-2025M, 75-10136B and
75-10137B.

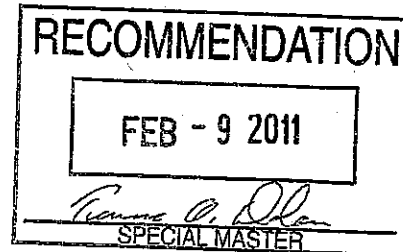
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 75-10678

NAME AND ADDRESS: JOHNNY J CABIGAS
LANA J CABIGAS
PO BOX 145
CARMEN, ID 83462

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.009 CFS

PRIORITY DATE: 05/01/1892

POINT OF DIVERSION: T23N R22E S35 NENE Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.009 CFS

PLACE OF USE: Irrigation Within Lemhi County
T22N R22E S03 SWNE 1.4 SENW 1.6
3.0 Acres Total

The rights listed below are limited to the irrigation of a combined total of 3 acres in a single irrigation season.
Combined Right Nos.: 75-2025H, 75-10061AC, 75-10062AA, 75-14593 and 75-10678.
Place of use does not include federal public lands.
This right is limited to the irrigation of 1.4 acres within the place of use described above in a single irrigation season.

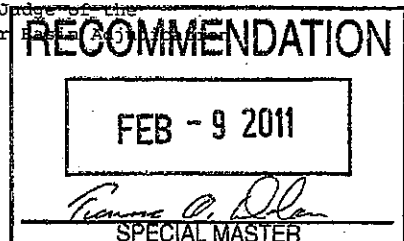
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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



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 75-14387

NAME AND ADDRESS: DANNY E FADNESS
ROBERTA V FADNESS
PO BOX 286
CARMEN, ID 83462

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.007 CFS

PRIORITY DATE: 05/01/1892

POINT OF DIVERSION: T23N R22E S35 NENE Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.007 CFS

PLACE OF USE: Irrigation Within Lemhi County
T22N R22E S03 LOT 2 (NWNE) 3.1 SWNE 1.3
4.4 Acres Total

The rights listed below are limited to the irrigation of a
combined total of 4.4 acres in a single irrigation season.
Combined Right Nos.: 75-10061C 75-14225, 75-14387, 75-14388,
75-14389 & 75-14393.

This right is limited to the irrigation of 1.1 acres within the
place of use described above 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
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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 75-14393

NAME AND ADDRESS: DANNY E FADNESS
ROBERTA V FADNESS
PO BOX 286
CARMEN, ID 83462

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.005 CFS

PRIORITY DATE: 05/01/1888

POINT OF DIVERSION: T23N R22E S35 NENE Within Lemhi County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 04-01 TO 10-31 0.005 CFS

PLACE OF USE: Irrigation Within Lemhi County
T22N R22E S03 LOT 2 (NWNE) 3.1 SWNE 1.3
4.4 Acres Total

This right is limited to the irrigation of 1.1 acres within the
place of use described above in a single irrigation season.
The rights listed below are limited to a combined total of 4.4
acres in a single irrigation season. Combined Right Nos.:
75-10061C, 75-14225, 75-14387, 75-14388, 74-14389, and 74-14393.

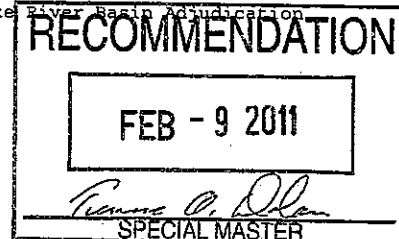
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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
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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 75-14591

NAME AND ADDRESS: STEVEN K YOWELL
3509 BALLANCE CT
CHESAPEAKE, VA 23321

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.025 CFS

PRIORITY DATE: 05/01/1888

POINT OF DIVERSION: T23N R22E S35 NENE Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.025 CFS

PLACE OF USE: Irrigation Within Lemhi County
T22N R22E S03 SWNE 5.0
5.0 Acres Total

The rights listed below are limited to the irrigation of a
combined total of 5 acres in a single irrigation season.
Combined Right Nos.: 75-2025G, 75-10061AM, 75-10062AL 75-14591
and 75-14592.

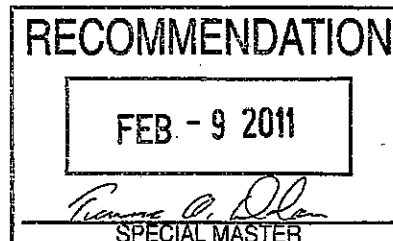
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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
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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 75-14592

NAME AND ADDRESS: STEVEN K YOWELL
3509 BALLANCE CT
CHESAPEAKE, VA 23321

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.033 CFS

PRIORITY DATE: 05/01/1892

POINT OF DIVERSION: T23N R22E S35 NENE Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.033 CFS

PLACE OF USE: Irrigation Within Lemhi County
T22N R22E S03 SWNE 5.0
5.0 Acres Total

The rights listed below are limited to the irrigation of a
combined total of 5 acres in a single irrigation season.
Combined Right Nos.: 75-2025G, 75-10061AM, 75-10062AL 75-14591
and 75-14592.

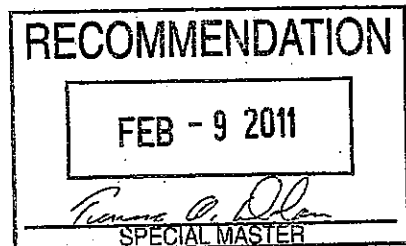
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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
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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 75-14593

NAME AND ADDRESS: JOHNNY J CABIGAS
 LANA J CABIGAS
 PO BOX 145
 CARMEN, ID 83462

SOURCE: CARMEN CREEK . TRIBUTARY: SALMON RIVER

QUANTITY: 0.007 CFS

PRIORITY DATE: 05/01/1886

POINT OF DIVERSION: T23N R22E S35 NENE Within Lemhi County

PURPOSE AND			
PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.007 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T22N R22E S03	SWNE 2.2
	3.0 Acres Total	SENE 0.8

The rights listed below are limited to the irrigation of a
combined total of 3 acres in a single irrigation season.
Combined Right Nos.: 75-10061AC, 75-10062AA, 75-10678 and
75-14593.

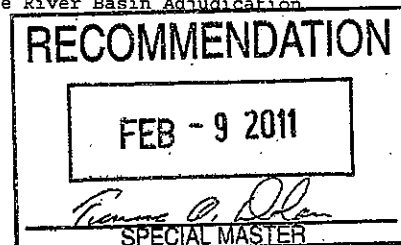
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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
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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	
FEB - 9 2011	
By _____	Clerk
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE	
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS. Deputy Clerk	

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

NOTICE OF ISSUANCE OF
 SPECIAL MASTER'S
 RECOMMENDATION

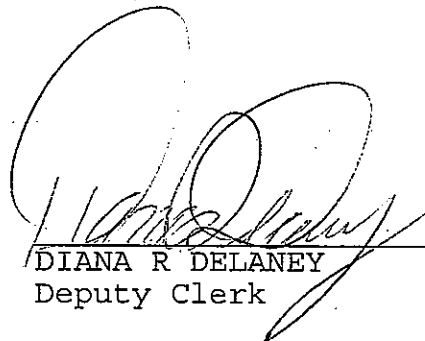
Water Right(s): 75-00069B
 (SEE ATTACHED EXHIBIT A)

On February 09, 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 February 09, 2011.



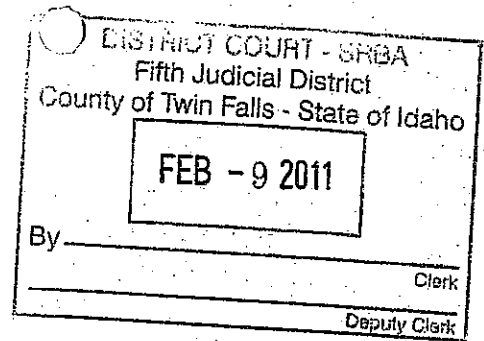
 DIANA R DELANEY
 Deputy Clerk

SCANNED
 FEB 11 2011

Exhibit A

Subcase Nos:

75-00069B
75-00069F
75-00069K
75-00069P
75-00069Q
75-00069W
75-00069X
75-00070B
75-00070F
75-00070K
75-00070P
75-00070Q
75-00070S
75-00070X
75-00070Y
75-10678
75-14387
75-14393
75-14591
75-14592
75-14593



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): 75-00069B
(SEE ATTACHED EXHIBIT A)

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 February 09, 2011, with sufficient first-class postage prepaid to the following:

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

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

JOHNNY J CABIGAS
LANA J GREENWAY
1267 MOBIL AVE
CAMARILLO, CA 93010

CERTIFICATE OF MAILING

PAGE 1
02/09/11

TERRY J HERSHEY
VERALYN E HERSHEY
PO BOX 121
CARMEN, ID 83462

JOHNNY J CABIGAS
LANA J CABIGAS
PO BOX 145
CARMEN, ID 83462

CATHLEEN TIPPETT
JAMES R TIPPETT
PO BOX 15
CARMEN, ID 83462
Phone: 208-756-4594

RODNEY HUGH EDMISTON
SUSAN FRANCINE EDMISTON
PO BOX 155
CARMEN, ID 83462
Phone: 208-756-6160

JAMES PAUL HUDSON
PO BOX 173
CARMEN, ID 83462
Phone: 208-756-3193

SHIRLEY J MATTIS
PO BOX 265
CARMEN, ID 83462
Phone: 208-756-3944

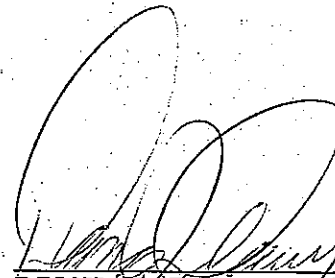
DANNY E FADNESS
ROBERTA V FADNESS
PO BOX 286
CARMEN, ID 83462
Phone: 208-756-6296

DONNA K JACKSON
THOMAS M JACKSON
PO BOX 47
CARMEN, ID 83462
Phone: 208-756-8047

PHILLIP G EISENHAUER
SHELLEY L ERWIN
1306 W VISTA VIEW
WASHINGTON, UT 84780
Phone: 435-688-1680

STEVEN K YOWELL
3509 BALLANCE CT
CHESAPEAKE, VA 23321
Phone: 757-686-8299

FRANCISKA MOSHER
ROBERT D MOSHER
54 PARMENTER RD
PO BOX 213
CARMEN, ID 83462-0213
Phone: 208-756-4607



DIANA R DELANEY
Deputy Clerk

Exhibit A

Subcase Nos:

75-00069B
75-00069F
75-00069K
75-00069P
75-00069Q
75-00069W
75-00069X
75-00070B
75-00070F
75-00070K
75-00070P
75-00070Q
75-00070S
75-00070X
75-00070Y
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75-14393
75-14591
75-14592
75-14593

SCANNED
FEB 11 2011