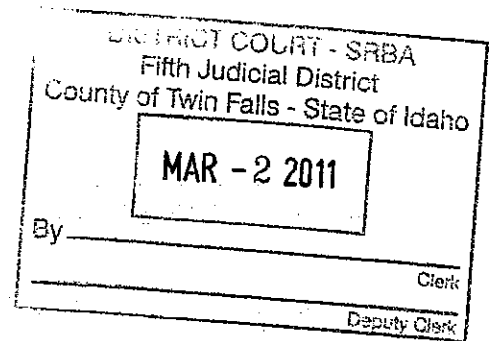


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MAR 03 2011

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) Subcase 35-2019
Case No. 39576) (Stieglitz)
)
) AMENDED SPECIAL MASTER REPORT
)
)
)
_____) Findings of Fact

On November 27, 2006, SRBA Presiding Judge John M. Melanson entered an *Order Granting Motion to File Late Notice of Claim* in subcase 35-2019. The Director of the Idaho Department of Water Resources filed his *Director's Report for Late Claims, Irrigation & Misc. Claims* on April 27, 2007. The Director recommended the claim, filed by Bridgette and Jeffrey Stieglitz, 646 US Highway 91, Firth, Idaho, 83236, be disallowed: "Forfeited / abandoned due to non-use from 2002 to 2006."

Conan Feld, Don and Ruth Adams, Steve Adams and Richard Koompin filed *Objections* between April 27 and July 2, 2007, alleging the water right does not exist. The claimants were granted leave to file a late objection on January 23, 2008, objecting to the claim not being recommended as claimed. On December 18, 2008, the claimants filed a *Notice of Withdrawal of Objection and Request to Vacate Trial* agreeing the claim be disallowed.

The Special Master entered a *Report and Recommendation* on December 23, 2008, recommending the claim be disallowed. Donetta M. Nelson filed a *Motion to Alter or Amend* on January 28, 2009, and on April 17, 2009, the Special Master entered an *Order Granting Late Objection and Staying Recommendation*.

Following trial on September 1, 2009, the Special Master entered an *Order Requesting Post-Trial Director's Recommendation*. The claimants were granted leave

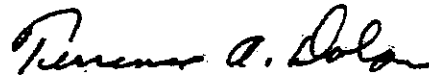
to amend their claim on December 14, 2009, and on February 25, 2010, IDWR filed its *Amended Director's Report* recommending the claim for 1.04 cfs from an unnamed stream to irrigate 52.1 acres in Bingham County from April 1 to October 31 with a priority date of May 23, 1910, based on a license.

Ms. Nelson filed an *Objection* on March 19, 2010, alleging the water right should not exist. On March 1, 2011, the claimants and objectors Ms. Nelson, Steven W. Adams and Conan Feld, with IDWR's concurrence, filed a *Standard Form 5*.

Conclusions of Law

Bridgette and Jeffrey Stieglitz 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 35-2019*.

DATED March 2, 2011.



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 35-02019

NAME AND ADDRESS: BRIDGETTE STIEGLITZ
JEFFREY BRIAN STIEGLITZ
646 US HWY 91
FIRTH, ID 83236

SOURCE: UNNAMED STREAM TRIBUTARY: SNAKE RIVER

QUANTITY: 1.04 CFS

PRIORITY DATE: 05/23/1910

POINT OF DIVERSION: T04S R32E S20 NWNE Within Bingham County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.04 CFS

PLACE OF USE:	Irrigation	Within Bingham County
	T04S R32E S20	NWNE 16.0 SWNE 18.0 NENW 4.1 NWSE 14.0
	52.1 Acres Total	

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

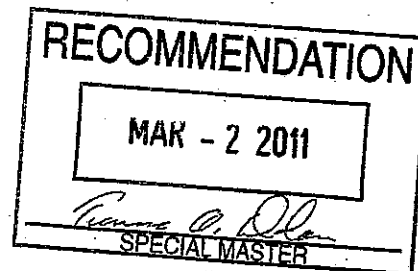
The remainder of this right was forfeited for non-use from July 1987 to July 2006.

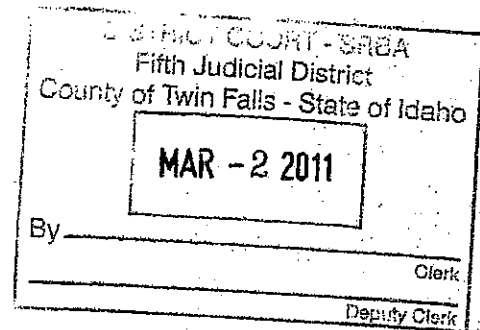
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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

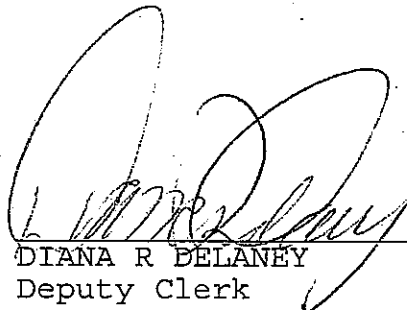
Water Right(s): 35-02019

On March 02, 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.

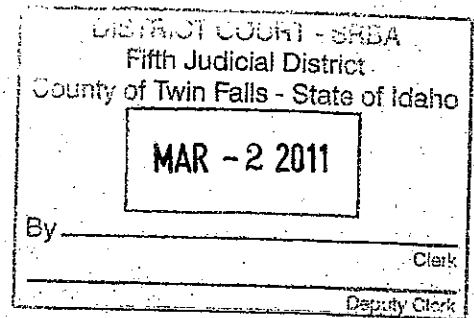
Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

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 March 02, 2011.



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) : 35-02019

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 March 02, 2011, with sufficient first-class postage prepaid to the following:

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

DONNETTA NELSON
Represented by:
JERRY R. RIGBY
25 N 2ND E
PO BOX 250
REXBURG, ID 83440-0250
Phone: 208-356-3633

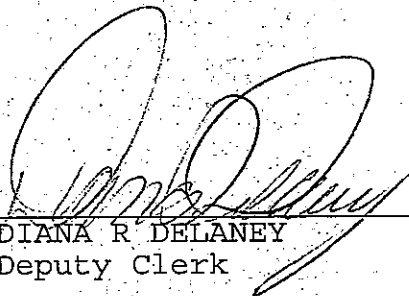
CERTIFICATE OF MAILING

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03/02/11

CONAN FELD
DON & RUTH ADAMS
RICHARD KOOMPIN
STEVEN W ADAMS

Represented by:
RANDALL C BUDGE
201 E CENTER, STE A2
PO BOX 1391
POCATELLO, ID 83204-1391
Phone: 208-232-6101

BRIDGETTE STIEGLITZ
JEFFREY BRIAN STIEGLITZ
Represented by:
ROBERT L HARRIS
1000 RIVERWALK DR, STE 200
PO BOX 50130
IDAHO FALLS, ID 83405
Phone: 208-523-0620



DIANA R DELANEY
Deputy Clerk