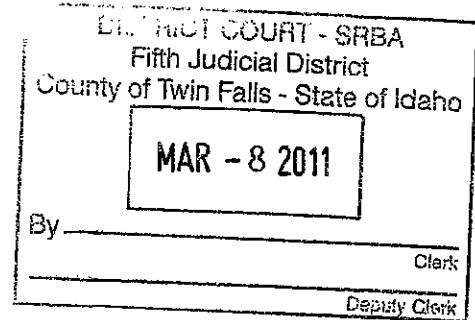


RECEIVED

MAR 09 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) Subcases 74-15716 (Peterson) and 74-15717
Case No. 39576) (Ruggles)
)
) SPECIAL MASTER REPORT
)
_____)

Findings of Fact

The Director of the Idaho Department of Water Resources filed his *Part I Director's Report, Reporting Area 23, IDWR Basin 74* on January 23, 2006. The Director recommended claim 74-344 to Kenneth and Janette Peterson, P.O. Box 58, Leadore, Idaho, 83464, for 2.4 cfs from Big Eightmile Creek to irrigate 278 acres in Lemhi County from March 15 to November 15 with a priority date of July 29, 1901, based on a decree.

IDWR filed a *Notice of Completed Administrative Proceeding* on August 24, 2006, splitting 74-344 into 74-15716 (Peterson) and 74-15717 (Aaron, Allen, Jamin and Virginia Ruggles, 1019 Lee Creek Road, Leadore, Idaho, 83464). No one objected to the *NCAP* or the Director's amended recommendations. Because of the split, 74-344 was decreed disallowed on November 5, 2007.

Conclusions of Law

The claimants are entitled to partial decrees adjudicating water rights as recommended by IDWR and as described in the attached *Special Master Recommendations for Partial Decrees for Water Rights 74-15716 (Peterson) and 74-15717 (Ruggles)*.

DATED March 8, 2011.

A handwritten signature in cursive script, appearing to read "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 74-15716

NAME AND ADDRESS: JANETTE S PETERSON
KENNETH J PETERSON
PO BOX 58
LEADORE, ID 83464

SOURCE: BIG EIGHTMILE CREEK TRIBUTARY: LEMHI RIVER

QUANTITY: 1.51 CFS

PRIORITY DATE: 07/29/1901

POINT OF DIVERSION: T16N R25E S33 SWNW Within Lemhi County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 03-15 TO 11-15 1.51 CFS

PLACE OF USE: Irrigation Within Lemhi County
T16N R25E S20 SESE 28.0
S21 NENW 7.5 SWSW 26.0
SESW 33.0
S28 NWNW 40.0
S29 NENE 40.0
174.5 Acres Total

RIGHT NOS. 74-15716 AND 74-15718 ARE LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 174.5 ACRES IN A SINGLE IRRIGATION SEASON.

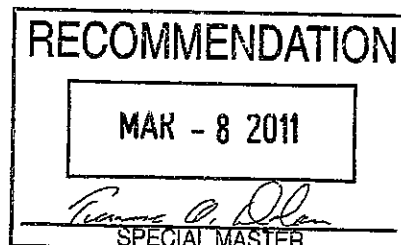
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 74-15717

NAME AND ADDRESS: AARON F RUGGLES
ALLEN F RUGGLES
JAMIN K RUGGLES
VIRGINIA M RUGGLES
1019 LEE CREEK RD
LEADORE, ID 83464

SOURCE: BIG EIGHTMILE CREEK TRIBUTARY: LEMHI RIVER

QUANTITY: 0.89 CFS

PRIORITY DATE: 07/29/1901

POINT OF DIVERSION: T16N R25E S33 SWNW Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.89 CFS

PLACE OF USE:	Irrigation		Within Lemhi County
	T16N R25E S20	SESE 12.0	
	S21	NENW 9.5	SENW 29.9
		NESW 31.9	SWSW 14.0
		SESW 5.6	
	102.9 Acres Total		

RIGHT NOS. 74-15717 AND 74-15719 ARE LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 102.9 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

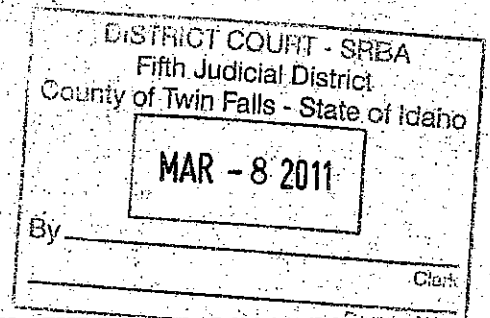
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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

RECOMMENDATION

MAR - 8 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)
)
Case No. 39576)
)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

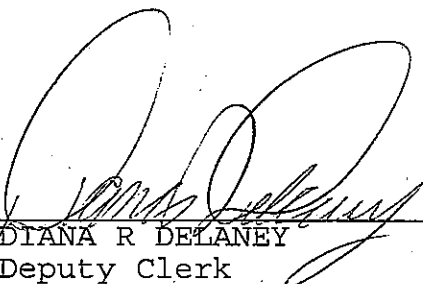
Water Right(s): 74-15716
74-15717

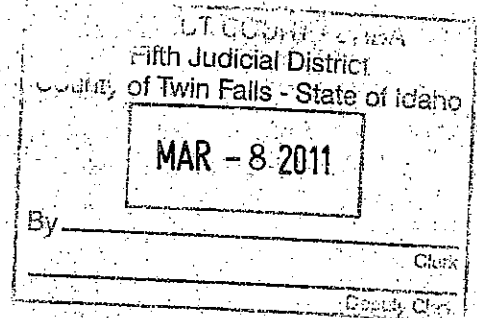
On March 08, 2011, Special Master TERRENCE A. DOLAN issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

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 08, 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)

CERTIFICATE OF MAILING

Case No. 39576)

Water Right(s): 74-15716

74-15717

CERTIFICATE OF MAILING

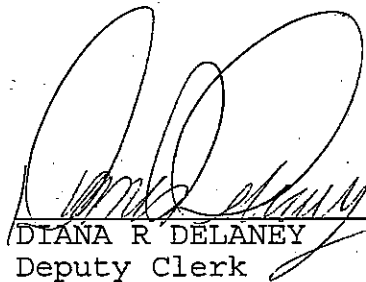
I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on March 08, 2011, with sufficient first-class postage prepaid to the following:

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

JANETTE S PETERSON
KENNETH J PETERSON
PO BOX 58
LEADORE, ID 83464

AARON F RUGGLES
ALLEN F RUGGLES
JAMIN K RUGGLES
VIRGINIA M RUGGLES
1019 LEE CREEK RD
LEADORE, ID 83464

CERTIFICATE OF MAILING


DIANA R DELANEY
Deputy Clerk

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03/08/11