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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

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

APR 11 2011

Clerk
Deputy Clerk

In Re SRBA

Case No. 39576

) SPECIAL MASTER'S REPORT AND
) RECOMMENDATION; FINDINGS OF
) FACT AND CONCLUSIONS OF LAW

) WATER RIGHT NOS.: 27-16A,
) 27-37C and 27-4F

I. FINDINGS OF FACT

A claim was filed for each of the above-captioned water rights pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources examined the water system for this reporting area. The *Director's Reports* contained recommendations for the elements of each water right.

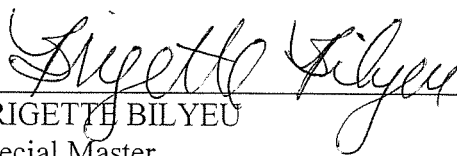
Objections were filed by the Shoshone-Bannock Tribes and the United States Bureau of Indian Affairs.

The Shoshone-Bannock Tribes and the United States Bureau of Indian Affairs filed a *Notice of Withdrawal of Objection* for each water right. There was no opposition to the withdrawal of the *Objections*. There are no unresolved objections remaining in these subcases. These water rights will be recommended consistent with the *Director's Reports*.

II. CONCLUSIONS OF LAW

Based on the file and record herein, IT IS RECOMMENDED that the above-captioned water rights be **decree**d with the elements set forth in the attached *Special Master's Recommendations for Partial Decree*.

DATED: April 11, 2011.


BRIGETTE BILYEU
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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 27-00004F

NAME AND ADDRESS: AUDREY H BEAN
1240 REBECCA DR
BLACKFOOT, ID 83221

SOURCE: BLACKFOOT RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.20 CFS

Use of these rights listed below is limited to a total combined
diversion rate of 0.97 cfs. Combined Right Nos.: 27-4F, 27-16A,
27-37C.

PRIORITY DATE: 06/01/1885

POINT OF DIVERSION: T03S R35E S08 SWSENE Within Bingham County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.20 CFS

PLACE OF USE:	Irrigation	Within Bingham County
	T03S R35E S07 LOT 6 (SWSW) 5.9	LOT 20 (SESW) 0.3
	LOT 7 (SESW) 8.9	LOT 21 (SWSE) 2.6
	LOT 8 (SWSE) 1.2	
	18.9 Acres Total	

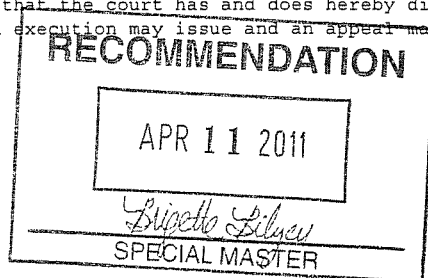
Use of the rights listed below is limited to the irrigation of a
combined total of 18.9 acres in a single irrigation season.
Combined Right Nos.: 27-4F, 27-16A, and 27-37C.

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 27-00016A

NAME AND ADDRESS: AUDREY H BEAN
1240 REBECCA DR
BLACKFOOT, ID 83221

SOURCE: BLACKFOOT RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.44 CFS

The right holder shall maintain a measuring device and lockable
controlling works of a type approved by the Department in a
manner that will provide the watermaster suitable control of the
diversion.

Use of this right with rights listed below is limited to a total
combined diversion rate of 0.97 cfs. Combined Right Nos.: 27-4F,
27-16A, 27-37C

This right when combined with all other rights shall provide no
more than 3.5 afa per acre at the field headgate for irrigation
of the lands above.

PRIORITY DATE: 07/01/1873

POINT OF DIVERSION: T03S R35E S08 SENE Within Bingham County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.44 CFS

PLACE OF USE:	Irrigation	Within Bingham County
	T03S R35E S07 LOT 6 (SWSW) 5.9	LOT 20 (SESW) 0.3
	LOT 7 (SESW) 8.9	LOT 21 (SWSE) 2.6
	LOT 8 (SWSE) 1.2	
	18.9 Acres Total	

Use of this right with the rights listed below is limited to the
irrigation of a combined total of 18.9 acres in a single
irrigation season. Combined Right Nos.: 27-4F, 27-16A, 27-37C.
This right is limited to the irrigation of 14.4 acres within the
place of use described above in a single irrigation season.

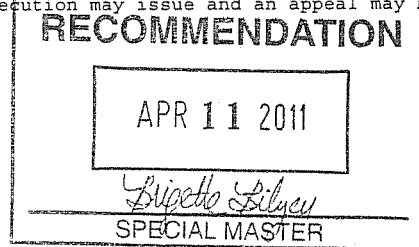
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Use of water under this water right will be regulated by the
watermaster of State Water District No. 27.

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 27-00037C

NAME AND ADDRESS: AUDREY H BEAN
1240 REBECCA DR
BLACKFOOT, ID 83221

SOURCE: BLACKFOOT RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.97 CFS

Use of the rights listed below is limited to a total combined
diversion rate of 0.97 cfs. Combined Right Nos.: 27-4F, 27-16A,
27-37C.

PRIORITY DATE: 03/20/1886

POINT OF DIVERSION: T03S R35E S08 SWSENE Within Bingham County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.97 CFS

PLACE OF USE: Irrigation Within Bingham County

T03S R35E S07 LOT 6 (SWSW) 5.9	LOT 20 (SESW) 0.3
LOT 7 (SESW) 8.9	LOT 21 (SWSE) 2.6
LOT 8 (SWSE) 1.2	
18.9 Acres Total	

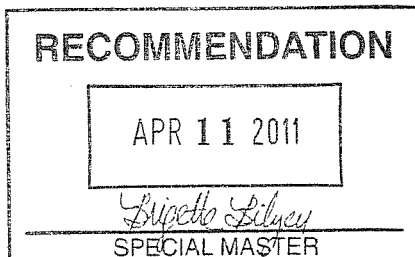
Use of the rights listed below is limited to the irrigation of a
combined total of 18.9 acres in a single irrigation season.
Combined Right Nos.: 27-4F, 27-16A, 27-37C.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
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RULE 54(b) CERTIFICATE

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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

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

APR 11 2011

By

Clerk

Deputy Clerk

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF
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

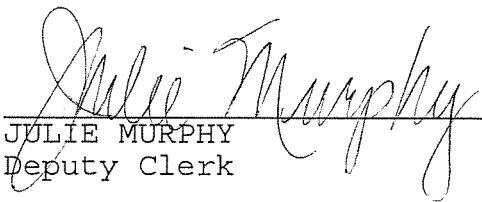
Water Right(s): 27-00004F
27-00016A 27-00037C

On April 11, 2011, Special Master BRIGETTE BILYEU
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 April 11, 2011.


JULIE MURPHY
Deputy Clerk

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

APR 11 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

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

CERTIFICATE OF MAILING

Water Right(s): 27-00004F
27-00016A 27-00037C

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 April 11, 2011, with sufficient first-class postage prepaid to the following:

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

COMMITTEE OF NINE

Represented by:
BARKER, ROSHOLT & SIMPSON LLP
113 MAIN AVE W, STE 303
PO BOX 485
TWIN FALLS, ID 83303-0485
Phone: 208-733-0700

CERTIFICATE OF MAILING

PAGE 1
04/11/11

SHOSHONE-BANNOCK TRIBES

Represented by:
JEANETTE WOLFLEY
SPECIAL COUNSEL
SHOSHONE-BANNOCK TRIBE
202 N ARTHUR
POCATELLO, ID 83202
Phone: 208-232-1922

STATE OF IDAHO

Represented by:
NATURAL RESOURCES DIV CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
PO BOX 44449
BOISE, ID 83711-4449

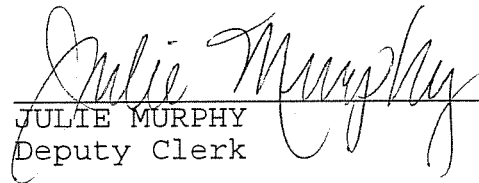
COMMITTEE OF NINE

Represented by:
RAY W. RIGBY
25 N 2ND E
PO BOX 250
REXBURG, ID 83440-0250
Phone: 208-356-3633

U.S. BUREAU OF INDIAN AFFAIRS

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

AUDREY H BEAN
1240 REBECCA DR
BLACKFOOT, ID 83221
Phone: 208-785-0792


JULIE MURPHY
Deputy Clerk