

APR 13 2014

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

APR 12 2011

By _____
DISTRICT OF THE _____
_____ Clerk
FWIN FALLS _____
_____ Deputy Clerk

In Re SRBA	)	SPECIAL MASTER’S REPORT AND
	)	RECOMMENDATION; FINDINGS OF
Case No. 39576	)	FACT AND CONCLUSIONS OF LAW
	)	
	)	WATER RIGHT NOS.: 27-1B, 27-2B,
	)	27-3E, 27-4Z and 27-5B

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 **decreed** with the elements set forth in the attached *Special Master's Recommendations for Partial Decree*.

DATED: April 12, 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 27-00001B

NAME AND ADDRESS: PAUL REID
875 REID RD
FIRTH, ID 83236

SOURCE: BLACKFOOT RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.43 CFS

Use of this right with rights listed below is limited to a total
combined annual diversion volume of 2279.0 af. Combined Right
Nos.: 27-1B, 27-2B, 27-3E, 27-4Z, 27-5B, 27-1A, 27-2A, 27-3D,
27-4Y, 27-5A, 27-10388, 27-10390.

PRIORITY DATE: 04/01/1882

POINT OF DIVERSION: T02S R37E S12 NWNWSW Within Bingham County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.43 CFS

PLACE OF USE:	Irrigation	Within Bingham County
T02S R37E S01	NESW 15.0	NWSW 9.5
	SWSW 18.0	SESW 36.0
	NWSE 4.2	SWSE 38.0
S12 LOT 2	(NWNE)39.0	LOT 3 (NENW)33.0
LOT 4	(NWNW)18.0	SWNW 1.4
	SENE 3.0	
215.1 Acres Total		

Use of the rights listed below is limited to the irrigation of a
combined total of 594 acres in a single irrigation season.
Combined Right Nos.: 27-1B, 27-2B, 27-3E, 27-4Z, 27-5B, 27-1A,
27-2A, 27-3D, 27-4Y, 27-5A, 27-10388, 27-10390.

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.

RECOMMENDATION

APR 12 2011

Lupette Silvey
SPECIAL MASTER

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 27-00002B

NAME AND ADDRESS: PAUL REID
875 REID RD
FIRTH, ID 83236

SOURCE: BLACKFOOT RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.052 CFS

Use of this right with rights listed below is limited to a total
combined annual diversion volume of 2279.0 af. Combined Right
Nos.: 27-1B, 27-2B, 27-3E, 27-4Z, 27-5B, 27-1A, 27-2A, 27-3D,
27-4Y, 27-5A, 27-10388, 27-10390.

PRIORITY DATE: 10/01/1885

POINT OF DIVERSION: T02S R37E S12 NWSW Within Bingham County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.052 CFS

PLACE OF USE:	Irrigation	Within Bingham County
	T02S R37E S01	NESW 15.0 NWSW 9.5
		SWSW 18.0 SESW 36.0
		NWSE 4.2 SWSE 38.0
	S12 LOT 2 (NWNW)39.0	LOT 3 (NENW)33.0
	LOT 4 (NWNW)18.0	SWNW 1.4
	SENW 3.0	
	215.1 Acres Total	

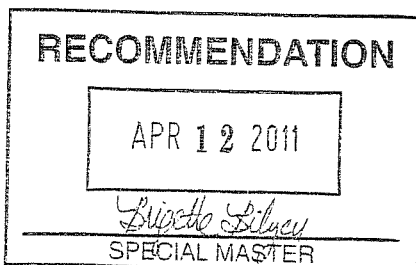
Use of the rights listed below is limited to the irrigation of a
combined total of 594 acres in a single irrigation season.
Combined Right Nos.: 27-1B, 27-2B, 27-3E, 27-4Z, 27-5B, 27-1A,
27-2A, 27-3D, 27-4Y, 27-5A, 27-10388, 27-10390.

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 27-00003E

NAME AND ADDRESS: PAUL REID
875 REID RD
FIRTH, ID 83236

SOURCE: BLACKFOOT RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.43 CFS

Use of this right with rights listed below is limited to a total
combined annual diversion volume of 2279.0 af. Combined Right
Nos.: 27-1B, 27-2B, 27-3E, 27-4Z, 27-5B, 27-1A, 27-2A, 27-3D,
27-4Y, 27-5A, 27-10388, 27-10390.

PRIORITY DATE: 05/01/1885

POINT OF DIVERSION: T02S R37E S12 NWSW Within Bingham County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.43 CFS

PLACE OF USE:	Irrigation	Within Bingham County
	T02S R37E S01	NESW 15.0 NWSW 9.5
		SWSW 18.0 SESW 36.0
		NWSE 4.2 SWSE 38.0
	S12 LOT 2 (NWNE) 39.0	LOT 3 (NENW) 33.0
	LOT 4 (NWNW) 18.0	SWNW 1.4
	SENW 3.0	
	215.1 Acres Total	

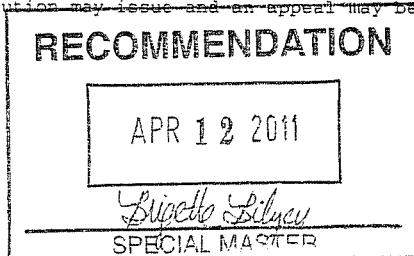
Use of the rights listed below is limited to the irrigation of a
combined total of 594 acres in a single irrigation season.
Combined Right Nos.: 27-1B, 27-2B, 27-3E, 27-4Z, 27-5B, 27-1A,
27-2A, 27-3D, 27-4Y, 27-5A, 27-10388, 27-10390.

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
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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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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 27-00004Z

NAME AND ADDRESS: PAUL REID
875 REID RD
FIRTH, ID 83236

SOURCE: BLACKFOOT RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.525 CFS

Use of this right with the rights listed below is limited to a
total combined annual diversion volume of 2279.0 af. Combined
Right Nos.: 27-1B, 27-2B, 27-3E, 27-4Z, 27-5B, 27-1A, 27-2A,
27-3D, 27-4Y, 27-5A, 27-10388, 27-10390.

PRIORITY DATE: 06/01/1885

POINT OF DIVERSION: T02S R37E S12 NWSW Within Bingham County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.525 CFS

PLACE OF USE:	Irrigation	Within Bingham County
T02S R37E S01	NESW 15.0	NWSW 9.5
	SWSW 18.0	SESW 36.0
	NWSE 4.2	SWSE 38.0
S12 LOT 2	(NWNE)39.0	LOT 3 (NENW)33.0
LOT 4	(NWNW)18.0	SWNW 1.4
	SENW 3.0	
215.1 Acres Total		

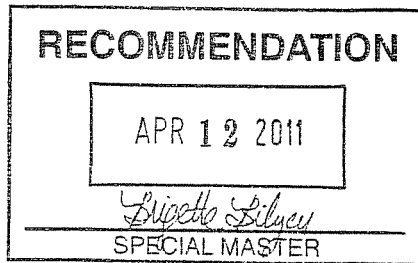
T02S R37E S12 SWNW, SENW is unsurveyed, nonfederal land.
Use of the rights listed below are limited to the irrigation of
a combined total of 215.1 acres in a single irrigation season.
Combined Right Nos.: 27-1B, 27-2B, 27-3E, 27-4Z, 27-5B. Use of
the rights listed below are limited to the irrigation of a
combined total of 594 acres in a single irrigation season.
Combined Right Nos.: 27-1B, 27-2B, 27-3E, 27-4Z, 27-5B, 27-1A,
27-2A, 27-3D, 27-4Y, 27-5A, 27-10388, 27-10390.

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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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 27-00005B

NAME AND ADDRESS: PAUL REID
875 REID RD
FIRTH, ID 83236

SOURCE: BLACKFOOT RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.86 CFS

Use of this right with rights listed below is limited to a total
combined annual diversion volume of 2279.0 af. Combined Right
Nos.: 27-1B, 27-2B, 27-3E, 27-4Z, 27-5B, 27-1A, 27-2A, 27-3D,
27-4Y, 27-5A, 27-10388, and 27-10390.

PRIORITY DATE: 03/01/1876

POINT OF DIVERSION: T02S R37E S12 SWNW Within Bingham County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.86 CFS

PLACE OF USE:	Irrigation	Within Bingham County
	T02S R37E S01	NESW 15.0 NWSW 9.5
		SWSW 18.0 SESW 36.0
		NWSE 4.2 SWSE 38.0
	S12 LOT 2	(NWNE)39.0 LOT 3 (NENW)33.0
	LOT 4	(NWNW)18.0
	210.7 Acres Total	

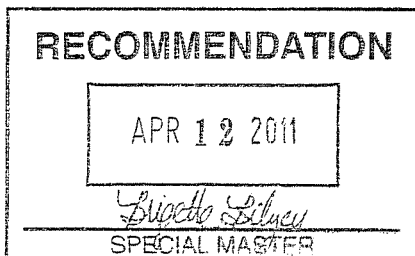
Use of this right with the rights listed below is limited to the
irrigation of a combined total of 211.4 acres in a single
irrigation season. Combined Right Nos.: 27-1B, 27-2B, 27-3E,
27-4Z, 27-5B.

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
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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 12 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)
)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

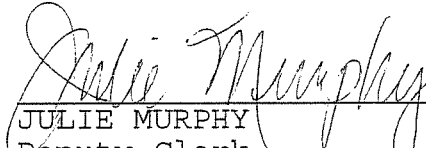
Water Right(s): 27-00001B
27-00002B 27-00003E 27-00004Z
27-00005B

On April 12, 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.

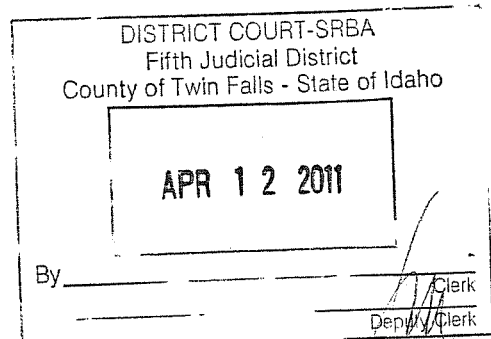
Pursuant to SRBA Administrative Order 1, Section 13a, any party
to the adjudication including parties to the subcase, may file a Motion
to Alter or Amend on or before the 28th day of the next month.

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 12, 2011.



JULIE MURPHY
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): 27-00001B
27-00002B 27-00003E 27-00004Z
27-00005B

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 12, 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

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04/12/11

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

SHOSHONE-BANNOCK TRIBES

PO BOX 306

FORT HALL, ID 83203

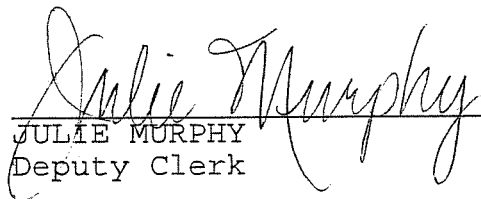
Phone: 208-239-4580

PAUL REID

875 REID RD

FIRTH, ID 83236

Phone: 208-785-1494


JULIE MURPHY
Deputy Clerk