

RECEIVED
MAY 31 2011
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
MAY 27 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	)	SPECIAL MASTER'S REPORT AND
	)	RECOMMENDATION; FINDINGS OF
Case No. 39576	)	FACT AND CONCLUSIONS OF LAW
	)	
	)	WATER RIGHT NO.: 27-54
_____	)	

I. FINDINGS OF FACT

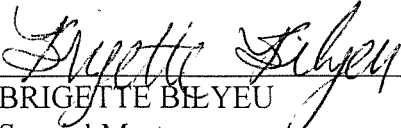
A claim was filed for this water right pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources examined the water system for this reporting area. The *Director's Report* contained a recommendation for the elements of this water right.

Objections were filed by the Shoshone-Bannock Tribes and the United States Bureau of Indian Affairs. A *Notice of Completed Administrative Proceeding* was filed on February 23, 2009. An *Amended Director's Report* was filed on February 27, 2009.

The Shoshone-Bannock Tribes and the United States Bureau of Indian Affairs filed a *Notice of Withdrawal of Objection*. There was no opposition to the withdrawal of the *Objections*. There are no unresolved objections remaining in this subcase. This water right will be recommended consistent with the *Amended Director's Report*.

II. CONCLUSIONS OF LAW

Based on the file and record herein, IT IS RECOMMENDED that this water right be **decreed** with the elements set forth in the attached *Special Master's Recommendation for Partial Decree*.
DATED: May 27, 2011.


BRIGETTE BLEYEU
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 27-00054

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho MAY 27 2011 By _____ Clerk Deputy Clerk
--

NAME AND ADDRESS: RONALD JENSEN
708 E 800 N
FIRTH, ID 83236

NOLLENE JENSEN
RONALD DREW JENSEN
724 E 800 N
FIRTH, ID 83236

SOURCE: CEDAR CREEK TRIBUTARY: BLACKFOOT RIVER

QUANTITY: 2.00 CFS

PRIORITY DATE: 04/01/1884

POINT OF DIVERSION: T02S R38E S28 SESESE Within Bingham County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	2.00 CFS

PLACE OF USE:	Irrigation	Within Bingham County
	T02S R38E S28	NESW 1.3 NWSW 29.2
		SWSW 37.9 SESW 11.6
	S29	NESE 31.2 LOT 4 (SESE) 6.8
	S33 LOT 2 (NWNW) 3.2	
	121.2 Acres Total	

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 MAY 27 2011 <i>Bigetto Dilley</i> SPECIAL MASTER
--

Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
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In Re SRBA)
Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

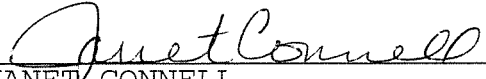
Water Right(s): 27-00054

On May 27, 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 May 27, 2011.


JANET CONNELL
Deputy Clerk

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STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s) : 27-00054

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 May 27, 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
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Phone: 208-733-0700

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

CERTIFICATE OF MAILING

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STATE OF IDAHO

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

COMMITTEE OF NINE

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U.S. BUREAU OF INDIAN AFFAIRS

Represented by:
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JANET CONNELL
Deputy Clerk