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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
OCT 31 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 FACT AND CONCLUSIONS OF LAW
	)	
Case No. 39576	)	
	)	
	)	
_____	)	FOR WATER RIGHTS: 37-13317B and 37-13317C

I. FINDINGS OF FACT

A notice of claim was filed for these 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 Report* contained recommendations for the elements of these water rights.

An *Objection* was filed to these water rights by the USDA Forest Service on May 23, 2007. The *Objections* were resolved with the filing of a *Standard Form 5/ Amended Claim* for each of these water rights. All parties to each subcase and IDWR are signatories to the *Standard Form 5 / Amended Claim*.

The *Standard Form 5/Amended Claim* for these rights was placed on the Docket Sheet. No objections were filed, and the time for filing such objections has now expired. There are no unresolved objections remaining in these water rights.

II. CONCLUSIONS OF LAW

Based on the file and record herein, IT IS RECOMMENDED that these water rights be decreed with the elements as set forth in the attached *Special Master's Recommendations for Partial Decrees*.

DATED: October 31, 2011.



BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

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

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CT OF THE
FALLS

OCT 31 2011

By _____ Clerk.

Deputy Clerk

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 37-13317B

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DEPARTMENT OF
WATER RESOURCES

QUANTITY: 0.01 CFS

PRIORITY DATE: 03/01/1880

PLACE OF USE:	Stockwater	Within Camas County
	T02N R15E S26	
	NENE	NWNE
	SWNE	SENE
	NENW	SENW
	NESW	NESE

The quantity of water decreed for this water right is not a determination of historical beneficial use. The points of diversion and places of use for this water right are all on private land, Homestead Entry Survey 595.

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).

RECOMMENDATION

OCT 31 2011

Bugetto Lilyen
SPECIAL MASTER

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

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

OCT 31 2011

In Re SRBA)
)
Case No. 39576)
)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
)
) Water Right 37-13317C

By _____ Clerk

Deputy Clerk

NAME AND ADDRESS: MARK NOREM
PO BOX 1285
BIG TIMBER, MT 59011

HAGEN PROPERTIES LLC
323 RD 4 EU
MEETEETSE, WY 82433

NINA M HAGEN
RONALD A HAGEN
41818 228TH AVE SE
ENUMCLAW, WA 98022

SOURCE: CHERRY CREEK TRIBUTARY: WILLOW CREEK
LOG CREEK TRIBUTARY: WILLOW CREEK
NEBRASKA CREEK TRIBUTARY: WILLOW CREEK
UNNAMED STREAM TRIBUTARY: WILLOW CREEK
WILLOW CREEK TRIBUTARY: CAMAS CREEK
WINE CREEK TRIBUTARY: WILLOW CREEK

QUANTITY: 0.02 CFS

The quantity of water under this right shall not exceed 13,000
gallons per day.

PRIORITY DATE: 03/01/1880

POINT OF DIVERSION: T02N R15E S25 NWNW (Instream Ending Point) Within Camas County
NWNW (Instream Beginning Point)
SWNW (Instream Beginning Point)
SENW (Instream Beginning Point)
SENW (Instream Beginning Point)
NWSW (Instream Beginning Point)
SESW (Instream Beginning Point)
S36 NWNE (Instream Beginning Point)
NWNE (Instream Beginning Point)
NWNE (Instream Ending Point)
NWNE (Instream Beginning Point)
SWNE (Instream Beginning Point)
SWNE (Instream Beginning Point)
SENW (Instream Beginning Point)
NWSE (Instream Beginning Point)
SWSE (Instream Beginning Point)
SESE (Instream Ending Point)

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Stockwater 01-01 TO 12-31 0.02 CFS

PLACE OF USE: Stockwater Within Camas County
T02N R15E S25 NWNW SWNW
SENW NESW
NWSW SESW
SWSE
S36 NWNE SWNE
NENW SENW
NESE NWSE
SWSE SESE

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DEPARTMENT OF
WATER RESOURCES

PLACE OF USE (continued)

Place of use does not include federal public lands.

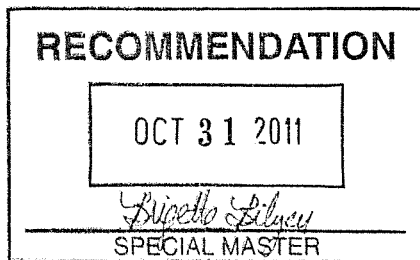
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right is not a determination of historical beneficial use.
Property is also known as Homestead Entry Survey Nos. 291, 596, and 620.

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

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OCT 31 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

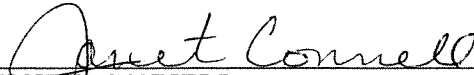
Water Right(s): 37-13317B
37-13317C

On October 31, 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 October 31, 2011.



JANET CONNELL
Deputy Clerk

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OCT 31 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)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s) : 37-13317B
37-13317C

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 October 31, 2011, with sufficient first-class postage prepaid to the following:

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

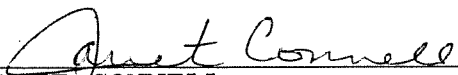
HAGEN PROPERTIES LLC
MARK NOREM
NINA M HAGEN
RONALD A HAGEN
Represented by:
ROBERT L HARRIS
1000 RIVERWALK DR, STE 200
PO BOX 50130
IDAHO FALLS, ID 83405
Phone: 208-523-0620

CERTIFICATE OF MAILING

PAGE 1
10/31/11

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

DOROTHY ROBERTS
LOUIS ROBERTS
11 W 300 S
JEROME, ID 83338
Phone: 208-324-3096



JANET CONNELL
Deputy Clerk