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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho
NOV 10 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.: 27-37J

I. FINDINGS OF FACT

The Idaho Department of Water Resources alerted the SRBA Court regarding clerical errors contained in the *Director's Reports* for 22 subcases in Basin 27. This water right was identified as one of the subcases that contained that clerical error.

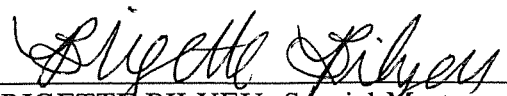
A hearing was held on September 28, 2011. At the hearing, IDWR explained that it recommends changing the legal description for the point of diversion for this right. The physical location of the point of diversion has not changed, but the *Director's Report* named the wrong quarter quarters or lot numbers. The proposed changes were sent to the claimant attached to the *Second Order Setting Status Conference Regarding Correction to Point of Diversion*.

The claimant failed to attend the hearing and thus failed to show why this water right should not be recommended with the attached proposed elements. There was no opposition to the proposed correction to the legal description for this right. Therefore, this water right will be recommended consistent with the *Amended Director's Report* attached to the *Second Order Setting Status Conference Regarding Correction to Point of Diversion*. (September 8, 2011)

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: November 10, 2011.


BRIGETTE BILYEU, Special Master
Snake River Basin Adjudication

NOV 10 2011

Clerk

Deputy Clerk

NOV 10 2011

Bridgette Lilley
SPECIAL MASTER

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

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Clerk

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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

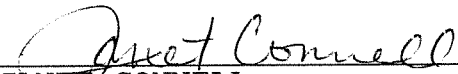
Water Right(s) : 27-00037J

On November 10, 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 November 10, 2011.


JANET CONNELL
Deputy Clerk

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

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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): 27-00037J

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 November 10, 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:
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SHOSHONE-BANNOCK TRIBES

Represented by:
JEANETTE WOLFLEY
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CERTIFICATE OF MAILING

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STATE OF IDAHO

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U.S. BUREAU OF INDIAN AFFAIRS

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