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MAR 19 2012
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
MAR 16 2012	
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.: 27-12081
_____	)	

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 Reports* contained a recommendation for the elements of this water right.

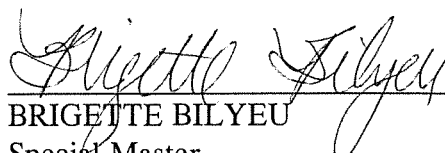
An *Objection* was filed by the United States Bureau of Indian Affairs on March 10, 2006. A *Notice of Completed Administrative Proceeding* was filed on January 27, 2010.

The United States Bureau of Indian Affairs filed a *Notice of Withdrawal of Objection* for this water right. There was no opposition to the withdrawal of the *Objection*. There are no unresolved objections remaining in this subcase. This water right will be recommended consistent with the *NCAP*.

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: March 16, 2012.


BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

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

MAR 16 2012

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)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Case No. 39576)
Water Right 27-12081

NAME AND ADDRESS: VAL GIBSON
100 N WOODLAND DRIVE
SODA SPRINGS, ID 83276

LYNN RASMUSSEN
168 LAGO-LIBERTY RD
GRACE, ID 83241-5352

SOURCE: CABIN CREEK TRIBUTARY: SINKS

QUANTITY: 8.80 AFY

PRIORITY DATE: 04/01/1958

POINT OF DIVERSION: T07S R45E S31 SENENW Within Caribou County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation Storage	01-01 TO 12-31	4.40 AFY
	Irrigation from Storage	04-01 TO 10-31	8.80 AFY

PLACE OF USE: Irrigation Storage Within Caribou County
Same as other use

Irrigation from Storage Within Caribou County
T07S R45E S30 LOT 4 (SWSW) 10.0
S31 NENW 5.2 LOT 1 (NWNW) 14.0
29.2 Acres Total

The rights listed below are limited to the irrigation of a combined total of 29.2 acres in a single irrigation season. Combined Right Nos.: 27-12081 and 27-4068.

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

This right is used in conjunction with 27-4068.
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

MAR 16 2012

Eric J. Wildman
SPECIAL MASTER

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

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In Re SRBA)
Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

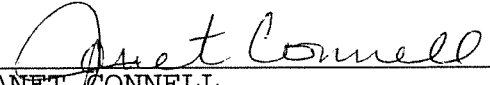
Water Right(s): 27-12081

On March 16, 2012, 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 March 16, 2012.


JANET CONNELL
Deputy Clerk

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In Re SRBA)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s) : 27-12081

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 March 16, 2012, with sufficient first-class postage prepaid to the following:

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

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

VAL GIBSON
100 N WOODLAND DRIVE
SODA SPRINGS, ID 83276
Phone: 208-547-4009

CERTIFICATE OF MAILING

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03/16/12

LYNN RASMUSSEN
168 LAGO-LIBERTY RD
GRACE, ID 83241-5352
Phone: 208-427-6637



JANET CONNELL
Deputy Clerk