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MAR 20 2012

DEPARTMENT OF  
WATER RESOURCES

|                                       |              |
|---------------------------------------|--------------|
| DISTRICT COURT - SRBA                 |              |
| Fifth Judicial District               |              |
| County of Twin Falls - State of Idaho |              |
| MAR 19 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.: 27-2003A   |
| _____          | ) |                             |

### 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.

The Shoshone-Bannock Tribes and 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 *Objections*.

A *Motion to File Amended Notice of Claim* was filed by P. Thomas Blotter Family Limited Partnership on October 14, 2011. An *Amended Director's Report* was filed on January 27, 2012. The *Amended Director's Report* was placed on the Docket Sheet. No objections were filed to the *Amended Director's Report*, and the time for filing such objections has now expired.

### 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 19, 2012.

  
BRIGETTE BILYEU, Special Master  
Snake River Basin Adjudication

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

MAR 19 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 )  
Case No. 39576 )  
PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 27-02003A

NAME AND ADDRESS: P THOMAS BLOTTER FAMILY LTD  
PARTNERSHIP  
C/O P THOMAS BLOTTER  
3250 N 1200 E  
LOGAN, UT 84321

SOURCE: SLUG CREEK TRIBUTARY: BLACKFOOT RIVER

QUANTITY: 4.17 CFS

PRIORITY DATE: 09/27/1905

POINT OF DIVERSION: T09S R44E S08 NESE Within Caribou County

|                |                |                |          |
|----------------|----------------|----------------|----------|
| PURPOSE AND    |                |                |          |
| PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|                | Irrigation     | 04-15 TO 10-31 | 4.17 CFS |

|               |                   |           |                       |
|---------------|-------------------|-----------|-----------------------|
| PLACE OF USE: | Irrigation        |           | Within Caribou County |
|               | T09S R44E S05     | NESW 40.0 | NWSW 22.0             |
|               |                   | SWSW 12.0 | SESW 36.0             |
|               |                   | NWSE 40.0 | SWSE 33.0             |
|               | S08               | NWNE 7.5  | NENW 18.0             |
|               | 208.5 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

MAR 19 2012

*Eric J. Wildman*  
SPECIAL MASTER

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

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WATER RESOURCES

|                                                                                           |
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| DISTRICT COURT - SRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho |
| MAR 19 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 )  
Case No. 39576 )  
\_\_\_\_\_ )

NOTICE OF ISSUANCE OF  
SPECIAL MASTER'S  
RECOMMENDATION

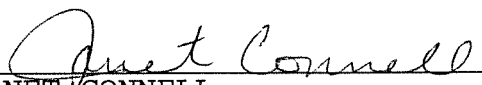
Water Right(s): 27-02003A

On March 19, 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 19, 2012.

  
JANET CONNELL  
Deputy Clerk

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WATER RESOURCES

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| DISTRICT COURT - SRBA<br>Fifth Judicial District<br>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 )  
 )  
Case No. 39576 )  
\_\_\_\_\_ )

CERTIFICATE OF MAILING

Water Right(s): 27-02003A

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 19, 2012, 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

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

PAGE 1  
03/19/12

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

P THOMAS BLOTTER FAMILY LTD

Represented by:  
ROBERT H WOOD  
RIGBY ANDRUS RIGBY CHARTERED  
25 NORTH 2ND EAST  
PO BOX 250  
REXBURG, ID 83340  
Phone: 208-356-3633

U.S. BUREAU OF INDIAN AFFAIRS

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

  
JANET CONNELL  
Deputy Clerk