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MAR 29 2012

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
MAR 28 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	)	AMENDED SPECIAL MASTER'S
	)	REPORT AND RECOMMENDATION;
Case No. 39576	)	FINDINGS OF FACT AND
	)	CONCLUSIONS OF LAW
	)	
_____	)	WATER RIGHT NO.: 27-4077

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.

Objections were filed by the Shoshone-Bannock Tribes and the United States Bureau of Indian Affairs. A *Stipulation to Resolve Objection* was filed on April 14, 2010.

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*. There are no unresolved objections remaining in this subcase. This water right will be recommended consistent with the *Stipulation*.

A *Special Master's Report and Recommendation* was issued on March 20, 2012. The Idaho Department of Water Resources notified the Court of a clerical error in the recommendation for this water right. The cfs for stockwater should be .19 cfs. It was incorrectly listed as 19.0 cfs. This *Amended Special Master's Report and Recommendation* corrects that error. This *Amended Special Master's Report* also corrects the filing date for the *Stipulation* incorrectly stated as April 14, 2012. The *Stipulation* was filed on April 14, 2010. No other changes have been made.

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 28, 2012.



BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

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

MAR 28 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 27-04077

NAME AND ADDRESS: GEORGE OLESON
317 E RICH LANE
BLACKFOOT, ID 83221

STEVEN OLESON
359 E 200 N
BLACKFOOT, ID 83221

LILA OLESON
363 E 200 N
BLACKFOOT, ID 83221

SOURCE: UNNAMED STREAM TRIBUTARY: BLACKFOOT RESERVOIR

QUANTITY: 0.38 CFS

The rights listed below are limited to a total combined annual
diversion volume of 2.9 af for stockwater. Combined Right Nos.:
27-4077, 27-4078, 27-10751 and 27-10752.

PRIORITY DATE: 08/29/1929

POINT OF DIVERSION: T05S R40E S01 LOT 4 (NWNWNW) Within Caribou County
LOT 4 (NENWNW)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	0.38 CFS
	Stockwater	05-15 TO 11-01	0.19 CFS
			2.90 AFY

PLACE OF USE:	Irrigation		Within Caribou County
	T05S R40E S01 LOT 4 (NWNW) 11.0		SWNW 8.0
	19.0 Acres Total		
Stockwater		Within Caribou County	
	T05S R40E S01 LOT 4 (NWNW)		SWNW
	S02 LOT 1 (NENE)		SENE

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).

RECOMMENDATION

MAR 28 2012

Shirley L. Lacey
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

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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 AMENDED
SPECIAL MASTER'S
RECOMMENDATION

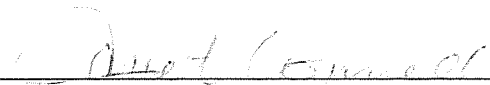
Water Right(s): 27-04077

On March 28, 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 28, 2012.



JANET CONNELL
Deputy 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) CERTIFICATE OF MAILING
)

Case No. 39576)
_____)
Water Right(s): 27-04077

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ^{AMENDED} 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 28, 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

STATE OF IDAHO
Represented by:
NATURAL RESOURCES DIV CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
PO BOX 44449
BOISE, ID 83711-4449

CERTIFICATE OF MAILING

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Shoshone-Bannock Tribes
U.S. Bureau of Indian Affairs



JANET CONNELL
Deputy Clerk