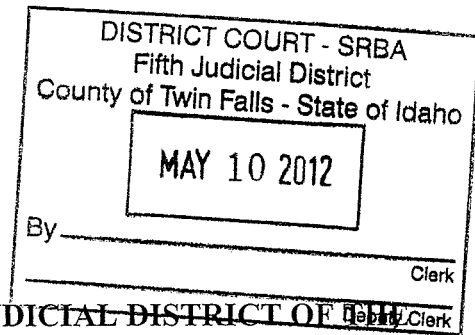


RECEIVED
MAY 11 2012
DEPARTMENT OF
WATER RESOURCES



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
Case No. 39576)
) FINDINGS OF FACT AND
) CONCLUSIONS OF LAW
)
) FOR WATER RIGHT 37-00732

I. FINDINGS OF FACT

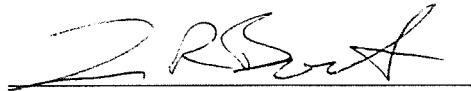
A notice of claim was filed for the above-captioned water right pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources (IDWR) examined the water system for this reporting area. The *Director's Report* contained a recommendation or abstract for the elements of this water right.

On November 14, 2007, the claimants of the right, Milford and Catherine Sweat, through their attorney Fritz X. Haemmerle, filed an objection to the *Director's Report*. On June 27, 2011, IDWR filed an *Amended Director's Report* for the claim. No objections were filed to the *Amended Director's Report* and the objection period has expired.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein, IT IS RECOMMENDED that water right 37-00732 be **decreed** with the elements as set forth in the attached *Recommendation for Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated May 10, 2012


Theodore R. Booth
Special Master
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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
_____) Water Right 37-00732

NAME AND ADDRESS: DEAN E OLSEN
MICHAEL L OLSEN
BOX 144
CAREY, ID 83320

BARBARA L MURPHY
BOX 215
CAREY, ID 83320

BONNIE C KEVICKI
43559 W SPARKS CT
MARICOPA, AZ 85238

JOEL E OLSEN
568 BAKER ST
TWIN FALLS, ID 83301

MILFORD D SWEAT
656 FAIRBANKS ST APT A-11
FAIRBANKS, AK 99709

SOURCE: HUFF CREEK TRIBUTARY: SINKS

QUANTITY: 1.80 CFS
21.00 AFY

The capacity of the storage reservoir is 21 AF and may be
refilled multiple times in a single year.

PRIORITY DATE: 05/15/1902

POINT OF DIVERSION: T01S R22E S02 LOT 4 (SWNWSW) Within Blaine County
NESWSE
S10 SWSWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-15 TO 10-31	1.80 CFS
	Irrigation Storage	01-01 TO 12-31	21.00 AFY
	Irrigation from Storage	04-15 TO 10-31	21.00 AFY

PLACE OF USE: Irrigation

	Within Blaine County
T01S R22E S02 LOT 3 (NESW) 3.4	LOT 2 (NWSE) 16.0
SWSE 6.1	
S03 SWSE 26.0	SESE 19.0
S10 NWNE 33.0	SENE 15.0
NENW 36.0	SESW 19.0
NESE 32.0	NWSE 9.4
SWSE 34.0	
S15 NWNE 31.0	SWNE 24.0
NENW 34.0	NWNW 39.0
SENE 40.0	NESW 40.0
NWSE 19.0	
475.9 Acres Total	
Irrigation Storage	Within Blaine County
T01S R22E S02 LOT 4 (NWSW)	

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

PLACE OF USE (continued)

Irrigation from Storage		Within Blaine County	
T01S R22E S03	SWSE 26.0	SESE 19.0	
S10	NWNE 33.0	SENE 15.0	
	NENW 36.0	SESW 19.0	
	NESE 32.0	NWSE 9.4	
	SWSE 34.0		
S15	NWNE 31.0	SWNE 24.0	
	NENW 34.0	NWNW 39.0	
	SENE 40.0	NESW 40.0	
	NWSE 19.0		
450.4 Acres Total			

The rights listed below are limited to the irrigation of a combined total of 475.9 acres in a single irrigation season. Combined Right Nos. 37-732, 37-743B, 37-2676, 37-2777, 37-7620 & 37-22598.

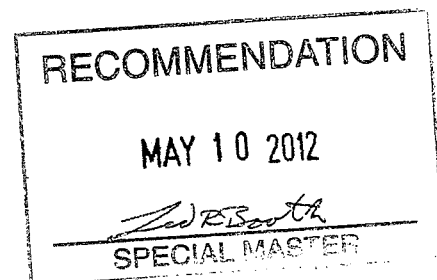
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

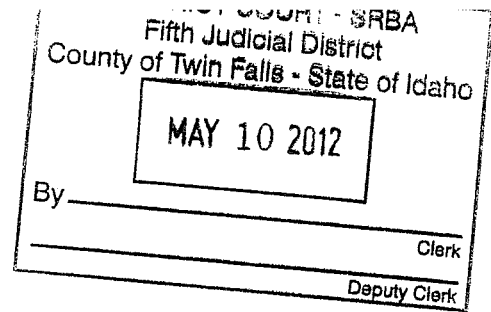
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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.

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

In Re SRBA)
Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION
Water Right(s): 37-00732

On May 10, 2012, Special Master THEODORE R. BOOTH 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 May 10, 2012.



DIANA R DELANEY
Deputy Clerk

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

MAY 10 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)
)

CERTIFICATE OF MAILING

Water Right(s) : 37-00732

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 May 10, 2012, with sufficient first-class postage prepaid to the following:

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

BARBARA L MURPHY
BONNIE C KEVICKI
DEAN E OLSEN
JOEL E OLSEN
MICHAEL L OLSEN
MILFORD & CATHERINE SWEAT
MILFORD D SWEAT

Represented by:
HAEMMERLE, FRITZ X.
PO BOX 1800
HAILEY, ID 83333
Phone: 208-578-0520

CERTIFICATE OF MAILING


DIANA R DELANEY
Deputy Clerk

PAGE 1
05/10/12