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JUN 21 2012
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUN 20 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.: 27-2080A

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 July 25, 2006.

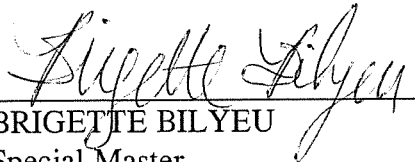
The Shoshone-Bannock Tribes and the United States Bureau of Indian Affairs filed a *Notice of Withdrawal of Objection* for this water right. There was no opposition to the withdrawal of the *Objections*. There are no unresolved objections remaining in this subcase. This water right will be recommended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

A *Special Master's Report and Recommendation* was filed for this water right on March 20, 2012. Subsequently, the Idaho Department of Water Resources reviewed the document and noticed that a volume limitation for the stockwater component of this water right was omitted from the *Special Master's Report and Recommendation*. A hearing on a *Motion to Alter or Amend* was held on May 23, 2012 to discuss adding the volume limitation. An *Order Granting Motion to Alter or Amend Special Master's Report and Recommendation* was issued May 25, 2012. That *Order* concluded that the volume limitation of .90 AFY should be added to the stockwater component of this water right. Accordingly, this *Amended Special Master's Report and Recommendation* adds the .90 AFY volume limitation and **makes no other changes**.

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: June 20, 2012.


BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

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

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

JUN 20 2012

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 27-02080A

Clerk

Deputy Clerk

NAME AND ADDRESS: JOUGLARD SHEEP CO INC
PO BOX 245
RUPERT, ID 83350

SOURCE: UNNAMED STREAM TRIBUTARY: TRAIL CREEK

QUANTITY: 0.73 CFS

PRIORITY DATE: 09/12/1923

POINT OF DIVERSION: T08S R43E S07 SESW Within Caribou County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	0.52 CFS
	Stockwater	04-01 TO 12-01	0.21 CFS
			0.90 AFY

PLACE OF USE: Irrigation Within Caribou County
T08S R43E S07 NESW 5.8 SESW 18.0
NWSE 0.7 SWSE 1.5
26.0 Acres Total

Stockwater Within Caribou County
T08S R43E S07 SESW

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

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

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

JUN 20 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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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

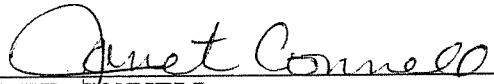
Water Right(s): 27-02080A

On June 20, 2012, Special Master BRIGETTE BILYEU
issued a ^{AMENDED} 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 June 20, 2012.


JANET CONNELL
Deputy Clerk

NOTICE OF ISSUANCE

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Fifth Judicial District
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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): 27-02080A

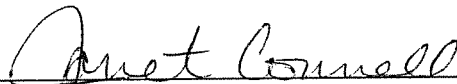
CERTIFICATE OF MAILING

AMENDED

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 June 20, 2012, with sufficient first-class postage prepaid to the following:

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

JOUGLARD SHEEP CO INC
PO BOX 245
RUPERT, ID 83350
Phone: 208-426-4221


JANET CONNELL
Deputy Clerk

CERTIFICATE OF MAILING

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