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SEP 13 2012
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
SEP 11 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	)	Subcase 02-4021
	)	(Trail)
Case No. 39576	)	
	)	SPECIAL MASTER REPORT
_____	)	

Findings of Fact

The Director of the Idaho Department of Water Resources filed his *Director's Report, Irrigation & Other Uses, Reporting Area Basin 02*, on December 29, 2006. The Director recommended the claim to Walter and Terrie Trail, 5308 E. Trail Road, King Hill, Idaho, 83633, for 10.54 cfs from the Snake River to irrigate 600 acres in Elmore County from March 15 to November 15 with a priority date of May 10, 1965, based on beneficial use. On March 29, 2012, the Trails were granted leave to file a late objection seeking removal of a combined use remark recommended by IDWR.

The Trails were granted leave to file an amended notice of claim on June 5, 2012. On June 11, 2012, IDWR filed its *Amended Director's Report*. No one objected to the *Report*.

Conclusions of Law

The Trails are entitled to a partial decree adjudicating a water right as described in the *Amended Director's Report* and the attached *Special Master Recommendation for Partial Decree for Water Right 02-4021*.

DATED September 11, 2012.



TERRENCE A. DOLAN
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 02-04021

NAME AND ADDRESS: TERRIE E TRAIL
WALTER L TRAIL
5308 E TRAIL RD
KING HILL, ID 83633

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 12.00 CFS

PRIORITY DATE: 05/10/1965

POINT OF DIVERSION: T06S R11E S09 LOT 6 (NWSW) Within Elmore County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	12.00 CFS

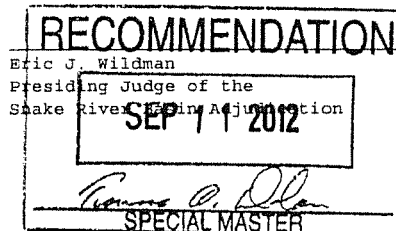
PLACE OF USE:	Irrigation	Within Elmore County
T05S R10E S35	SENE 38.0	NESE 40.0
	SESE 39.0	
S36	NENE 17.0	NWNE 37.0
	SWNE 10.0	NENW 38.0
	NWNW 17.0	SWNW 40.0
	SENW 32.0	NESW 11.0
	NWSW 40.0	SWSW 35.0
	SESW 12.0	
T06S R10E S01 LOT 4	(NWNW) 41.0	SWNW 40.0
	NWSW 39.0	
S02 LOT 1	(NENE) 41.0	SENE 33.0
600.0 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.



DISTRICT COURT - S	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
SEP 11 2012	
By _____	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)
)
Case No. 39576)
)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

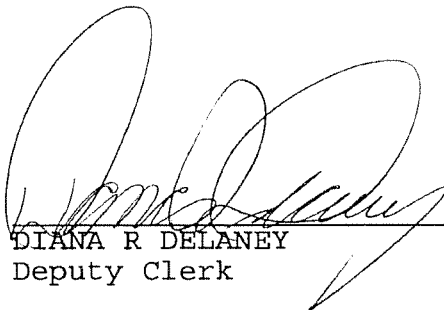
Water Right(s): 02-04021

On September 11, 2012, Special Master TERRENCE A. DOLAN 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 September 11, 2012.



DIANA R DELANEY
Deputy Clerk

DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
SEP 11 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): 02-04021

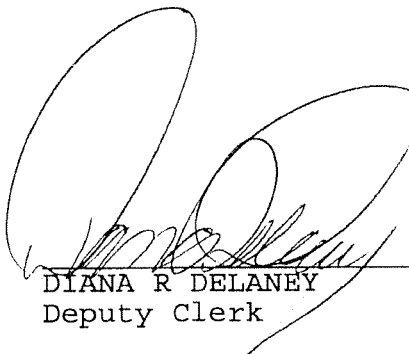
CERTIFICATE OF MAILING

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 September 11, 2012, with sufficient first-class postage prepaid to the following:

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

TERRIE E TRAIL
WALTER AND TERRIE TRAIL
WALTER L TRAIL

Represented by:
CANDICE M MC HUGH
101 S CAPITOL BLVD, STE 300
BOISE, ID 83702
Phone: 208-395-0011



DIANA R DELANEY
Deputy Clerk

CERTIFICATE OF MAILING

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09/11/12