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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
SEP 13 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 ON MOTION
Case No. 39576	)	TO WITHDRAW CLAIM
	)	
_____	)	WATER RIGHT NO.: 22-13506

I. FINDINGS OF FACT

Fremont Madison Irrigation District claimed water rights 22-13505 and 22-13506 in the SRBA. Both rights were still in the permit and license process at the time the claims were filed.

Both subcases were scheduled for a trial on September 5, 2012. At the hearing on Sept. 5, 2012, Fremont Madison Irrigation District explained that the license for 22-13505 will be completed within the next few days. Therefore, the claimant agreed that the *Master's Report* and the *Partial Decree* for 22-13505 shall be consistent with the license.

Fremont Madison Irrigation District then explained that it wished to withdraw its claim for 22-13506 in the SRBA, and proceed with 22-13506 solely in the administrative licensing process.

The claimant explained that a claim in the SRBA was not mandatory for 22-13506. Therefore, Fremont Madison Irrigation District moved to withdraw the claim for 22-13506 **with prejudice**.

No parties objected to the *Motion to Withdraw Claim*. Therefore, the *Motion* is **granted**. The claim for 22-13506 is **dismissed with prejudice**. However, it is the court's understanding that 22-13506 shall continue in the administrative proceedings for permit and license.

II. CONCLUSIONS OF LAW

Based on the file and record herein, IT IS RECOMMENDED that this water right **not be confirmed** in any partial or final decree.

DATED: September 13, 2012.


BRIGETTE BILYEU, Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT AND RECOMMENDATION ON MOTION TO WITHDRAW CLAIM was mailed on September 13, 2012, with sufficient first-class postage to the following:

MILNER IRRIGATION DISTRICT
Represented by:
BARKER ROSHOLT & SIMPSON LLP
195 RIVER VISTA PL STE 204
TWIN FALLS, ID 83301-3029
Phone: 208-733-0700

STATE OF IDAHO
Represented by:
CHIEF NATURAL RESOURCES DIV
OFFICE OF THE ATTORNEY GENERAL
STATE OF IDAHO
PO BOX 44449
BOISE, ID 83711-0449
Phone: 208-334-2400

AMERICAN FALLS RESERVOIR
Represented by:
CRAIG D HOBDEY
HOBDEY LAW OFFICE PLLC
125 5TH AVE
PO BOX 176
GOODING, ID 83330-0176
Phone: 208-934-4429

FREMONT MADISON IRRIGATION
Represented by:
JERRY R RIGBY
25 N 2ND E
PO BOX 250
REXBURG, ID 83440-0250
Phone: 208-356-3633

MILNER IRRIGATION DISTRICT
Represented by:
JOHN K SIMPSON
1010 W JEFFERSON ST STE 102
PO BOX 2139
BOISE, ID 83701-2139
Phone: 208-336-0700

A & B IRRIGATION DISTRICT
BURLEY IRRIGATION DISTRICT
Represented by:
ROGER D LING
PO BOX 623
RUPERT, ID 83350-0623
Phone: 208-434-2717

NORTH SIDE CANAL CO LTD
TWIN FALLS CANAL COMPANY
Represented by:
TRAVIS L THOMPSON
195 RIVER VISTA PL STE 204
TWIN FALLS, ID 83301-3029
Phone: 208-733-0700

UNITED STATES OF AMERICA
USDI BUREAU OF RECLAMATION
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

MINIDOKA IRRIGATION DISTRICT
Represented by:
W KENT FLETCHER
1200 OVERLAND AVE
PO BOX 248
BURLEY, ID 83318-0248
Phone: 208-678-3250

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


Deputy Clerk