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AUG 20 2013

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
AUG 16 2013	
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

-) SPECIAL MASTER'S REPORT
-)
-) FINDINGS OF FACT AND
-) CONCLUSIONS OF LAW
-)
-) FOR WATER RIGHTS 63-31490A
-) and 63-31490B
-)
-) RECOMMENDATION OF
-) DISALLOWANCE FOR 63-31490

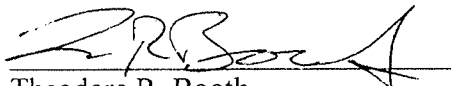
I. FINDINGS OF FACT

A *Partial Decree* was issued for water right 63-31490 on April 21, 2003. On August 1, 2012, SRBA Presiding Judge Wildman issued an *Order Setting Aside Partial Decree and Order of Reference Appointing Theodore R. Booth Special Master*. On November 26, 2012, claimant Alice Ann Morris Culver filed an objection to the *Director's Report* for the claim. On July 23, 2013, the parties filed *Standard Forms 5 -- Stipulated Elements of a Water Right* which resolved the objection and also which split the water right into numbers 63-31490A and 63-31490B. The Idaho Department of Water Resources concurred with the stipulation.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein and pursuant to the *Standard Forms 5*, IT IS RECOMMENDED that water rights 63-31490A and 63-31490B be **decreed** with the elements as set forth in the attached *Recommendation for Partial Decree Pursuant to I.R.C.P. 54(b)*. IT IS FURTHER RECOMMENDED that the SRBA District Court enter a final order disallowing water right number 63-31490.

Dated *Aug. 16, 2013*


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

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DEPARTMENT OF
WATER RESOURCES

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
_____) Water Right 63-31490A

NAME AND ADDRESS: ALICE ANN MORRIS CULVER
6100 PIERCE PARK LN
BOISE, ID 83703

SOURCE: SPANISH FORK TRIBUTARY: ELK CREEK

QUANTITY: 0.16 CFS

PRIORITY DATE: 05/25/1936

POINT OF DIVERSION: T06N R05E S23 SWNE Within Boise County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.02 CFS
	Mining	01-01 TO 12-31	0.14 CFS

PLACE OF USE:	Stockwater	Within Boise County
	T06N R05E S23	SWNE
	Mining	Within Boise County
	T06N R05E S23	SWNE

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

RECOMMENDATION

AUG 16 2013

Lawrence B. Booth
SPECIAL MASTER

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
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In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 63-31490B

NAME AND ADDRESS: ALICE ANN MORRIS CULVER
6100 PIERCE PARK LN
BOISE, ID 83703

SOURCE: ELK CREEK TRIBUTARY: MORES CREEK

QUANTITY: 3.09 CFS

PRIORITY DATE: 05/25/1936

POINT OF DIVERSION: T06N R05E S23 SENE Within Boise County
NWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.02 CFS
	Mining	01-01 TO 12-31	0.86 CFS
	Fire Protection	01-01 TO 12-31	3.09 CFS
	Domestic	01-01 TO 12-31	0.02 CFS

PLACE OF USE:	Stockwater		Within Boise County
	T06N R05E S23	SWNE	
	Mining		Within Boise County
	T06N R05E S23	SWNE	
	Domestic		Within Boise County
	T06N R05E S23	SWNE	
	Fire Protection		Within Boise County
	T06N R05E S23	SWNE	SENE

THE USE OF WATER FOR FIRE PROTECTION UNDER THIS RIGHT IN THE
SENE, SECTION 23, T6N, R5E IS LIMITED TO THE EAST HALF OF THE
SENE, SECTION 23, T6N, R5E.

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
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RECOMMENDATION

AUG 16 2013

SRBenth
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County of Twin Falls - State of Idaho	
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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)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

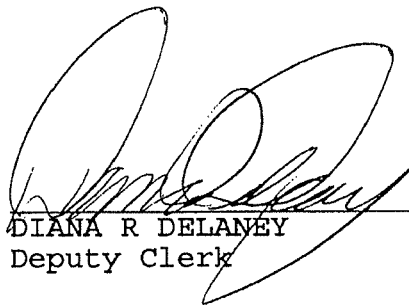
Water Right(s): 63-31490
63-31490A 63-31490B

On August 16, 2013, 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 August 16, 2013.



DIANA R DELANEY
Deputy Clerk

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STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

CERTIFICATE OF MAILING

Water Right(s): 63-31490
63-31490A 63-31490B

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 August 16, 2013, with sufficient first-class postage prepaid to the following:

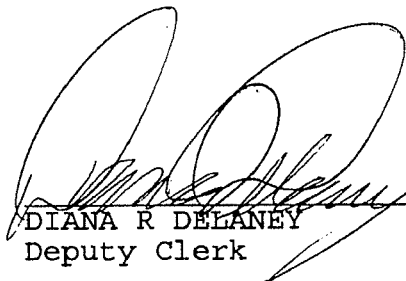
DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

ALICE ANN CULVER
6100 N PIERCE PARK LN
BOISE, ID 83714
Phone: 208-853-1222

ALICE ANN MORRIS CULVER
6100 PIERCE PARK LN
BOISE, ID 83703

ALICE ANN CULVER
6100 PIERCE PARK LN
BOISE, ID 83714
Phone: 208-853-2222

CERTIFICATE OF MAILING


DIANA R DELANEY
Deputy Clerk

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