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MAY 28 2014

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
MAY 23 2014	
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 AND
) RECOMMENDATION; FINDINGS OF
) FACT AND CONCLUSIONS OF LAW

) WATER RIGHT NO.: 37-22797
)
)
)
)

I. FINDINGS OF FACT

A late 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 Report for Late Claims* contained a recommendation for the elements of this water right.

An *Objection* was filed by Alvin V. and Sally P. Shoemaker on March 19, 2014. The *Objection* was resolved on May 20, 2014 with the filing of a *Standard Form 5*. All parties to the subcase and IDWR are signatories to the *Standard Form 5*.

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: May 23, 2014.


BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

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

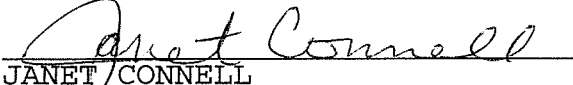
Water Right(s): 37-22797

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 23, 2014, with sufficient first-class postage prepaid to the following:

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

ALVIN V & SALLY P SHOEMAKER
ALVIN V SHOEMAKER
SALLY P SHOEMAKER
Represented by:
ROBERT E WILLIAMS
FREDERICKSEN WILLIAMS ET AL
PO BOX 168
JEROME, ID 83338
Phone: 208-324-2303


JANET CONNELL
Deputy Clerk

CERTIFICATE OF MAILING

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

MAY 23 2014

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
 Case No. 39576)
 _____) Water Right 37-22797

NAME AND ADDRESS: ALVIN V SHOEMAKER
 SALLY P SHOEMAKER
 PO BOX 550
 BELLEVUE, ID 83313

SOURCE: SEAMANS CREEK TRIBUTARY: SINKS

QUANTITY: 337.20 AFY

The capacity of the storage reservoir is 41.3 AF. The reservoir may be refilled multiple times up to the total diversion volume in a single year.

PRIORITY DATE: 04/15/1964

POINT OF DIVERSION: T02N R19E S33 NWNE Within Blaine County

PURPOSE AND
 PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Wildlife Storage	01-01 TO 12-31	27.90 AFY
Irrigation Storage	04-15 TO 10-31	337.20 AFY
Irrigation from Storage	04-15 TO 10-31	322.00 AFY
Recreation Storage	01-01 TO 12-31	27.90 AFY
Aesthetic Storage	01-01 TO 12-31	27.90 AFY

PLACE OF USE:	Irrigation from Storage	Within Blaine County
	T02N R19E S31	NENE 26.0 SENE 15.0
	S32	NENE 31.0 NWNE 25.0
		SWNE 7.1 NENW 28.0
		NWNW 33.0 SWNW 3.0
		SENW 4.4
	S33	NENW 18.0 NWNW 26.0
	216.5 Acres Total	
	Wildlife Storage	Within Blaine County
	T02N R19E S33	NWNE
	Recreation Storage	Within Blaine County
	T02N R19E S33	NWNE
	Aesthetic Storage	Within Blaine County
	T02N R19E S33	NWNE

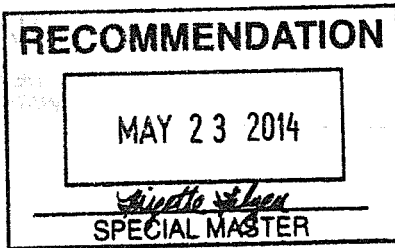
Right Nos. 37-22582 and 37-22797 are limited to the irrigation of a combined total of 216.5 acres in a single irrigation season.

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

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