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DEPARTMENT OF  
WATER RESOURCES

|                                                                                           |              |
|-------------------------------------------------------------------------------------------|--------------|
| DISTRICT COURT - SRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho |              |
| JUN 30 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     | ) SPECIAL MASTER'S REPORT  |
|                | )                          |
| Case No. 39576 | ) FINDINGS OF FACT AND     |
|                | ) CONCLUSIONS OF LAW       |
|                | )                          |
| _____          | ) FOR WATER RIGHT 72-16778 |

I. FINDINGS OF FACT

A notice of claim was filed for the above-captioned water right pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources (IDWR) examined the water system for this reporting area. The *Director's Report* contained a recommendation for the elements of this water right.

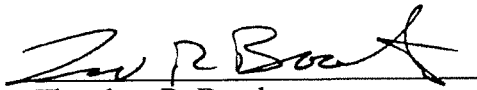
On March 22, 2013, the United States of America, Department of Interior, Bureau of Land Management filed an objection. On June 25, 2014, the parties filed a *Standard Form 5 – Stipulated Elements of a Water Right* which resolved the objection. The Idaho Department of Water Resources concurred with the stipulation.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein and pursuant to the *Standard Form 5*, IT IS RECOMMENDED that water right 72-16778 be **decreed** with the elements as set forth in the attached *Recommendation for Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated

*June 30, 2014*

  
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

In Re SRBA )  
 ) PARTIAL DECREE PURSUANT TO  
 ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
 )  
 ) Water Right 72-16778

NAME AND ADDRESS: US DEPT OF INTERIOR BLM  
1387 S VINNELL WAY  
BOISE, ID 83709-1657

SOURCE: BIG BOULDER CREEK TRIBUTARY: EAST FORK SALMON RIVER

QUANTITY: 0.35 CFS

Right Nos. 72-10302A, 72-10304, 72-16778, 72-16780A and  
72-16780B are limited to a maximum combined rate of 7.80 cfs at  
the Big Boulder Creek-1 Diversion in T09N, R17E, S15, NWNENE,  
Lot 1.  
Right Nos. 72-204, 72-10304, 72-16778, 72-16780A and 72-16780B  
are limited to a maximum combined diversion rate of 8.00 cfs at  
the Big Boulder Creek-2 Diversion in T09N R17E, S15, SENWNE,  
Lot 2.

PRIORITY DATE: 04/01/1948

POINT OF DIVERSION: T09N R17E S15 LOT 1 (NWNENE) Within Custer County  
LOT 2 (SENWNE)

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Irrigation     | 04-01 TO 10-31 | 0.35 CFS |

PLACE OF USE: Irrigation Within Custer County  
T09N R17E S10 LOT 6 (NESE) 4.3 LOT 6 (SESE) 3.7  
S14 LOT 4 (NWNW) 3.6  
11.6 Acres Total

The rights below are limited to the irrigation of a combined  
total of 398.1 acres in a single irrigation season. Combined  
Right Nos.: 72-204, 72-2048, 72-10302A, 72-10302B, 72-10302C,  
72-10303, 72-10304, 72-16778, 72-16779, 72-16780A and 72-16780B.  
Right Nos. 72-16778 and 72-16780B are limited to the irrigation  
of a combined total of 11.6 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).

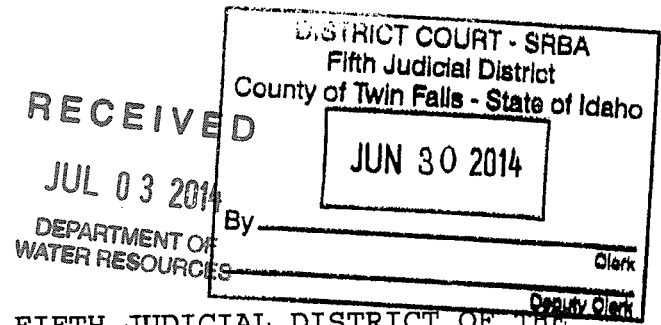
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DEPARTMENT OF  
WATER RESOURCES

RECOMMENDATION

JUN 30 2014

*Lawrence Booth*  
SPECIAL MASTER



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

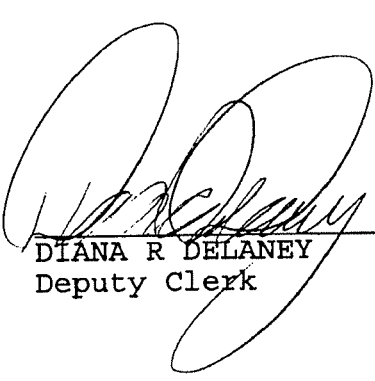
Water Right(s): 72-16778

On June 30, 2014, 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 June 30, 2014.

  
\_\_\_\_\_  
DIANA R DELANEY  
Deputy Clerk

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WATER RESOURCES

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| DISTRICT COURT - SRBA<br>Fifth Judicial District<br>County of Twin Falls - State of Idaho |       |
| JUN 30 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 )

CERTIFICATE OF MAILING

Water Right(s): 72-16778

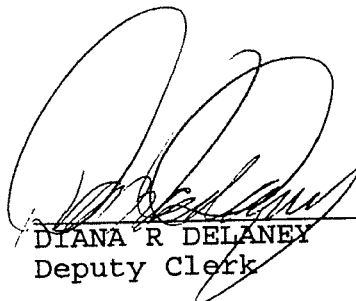
CERTIFICATE OF MAILING

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 July 01, 2014, with sufficient first-class postage prepaid to the following:

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

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

US DEPT OF INTERIOR BLM  
1387 S VINNELL WAY  
BOISE, ID 83709-1657

  
DIANA R DELANEY  
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1  
06/30/14