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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA
Fifth Judicial District
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

-) SPECIAL MASTER'S REPORT
-)
-) FINDINGS OF FACT AND
-) CONCLUSIONS OF LAW
-)
-) FOR WATER RIGHT 72-16781A
-)
-) RECOMMENDATION OF
-) DISALLOWANCE FOR 72-16781
-) and 72-16781B

I. FINDINGS OF FACT

A notice of claim was filed for water right 72-16781 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 October 31, 2013, IDWR filed an *Amended Director's Report* which split 72-16781 into 72-16781A and 72-16781B.

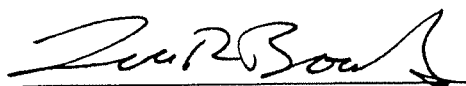
On January 13, 2014, the United States of America, Department of Interior, Bureau of Land Management filed an objection to the *Amended Director's Report* for 72-16781B. No objections were filed to the *Amended Director's Report* for 72-16781A. On June 25, 2014, the parties filed a *Stipulation to Resolve Objections* wherein the claimants agreed to dismiss their claim to 72-16781B.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein, IT IS RECOMMENDED that water right 72-16781A 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 72-16781 and 72-16781B

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 72-16781A

NAME AND ADDRESS: EDDIE BAKER JR
HC 68 BOX 375
CLAYTON, ID 83327

SOURCE: SALMON RIVER EAST FORK TRIBUTARY: SALMON RIVER
UNNAMED STREAM TRIBUTARY: EAST FORK SALMON RIVER

Point of injection into and point of redirection from an
unnamed stream.

QUANTITY: 3.21 CFS

The appropriator is entitled to the quantity of water described
above at the point of measurement in T09N, R17E, S11, NENE.

PRIORITY DATE: 04/01/1967

POINT OF DIVERSION: T09N R17E S11 NENE (Rediversion) Within Custer County
NENE
NESW (Injection)
NESW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	3.21 CFS

PLACE OF USE: Irrigation Within Custer County
T09N R17E S01 NESW 13.0 SWSW 2.8
15.8 Acres Total

Right Nos. 72-204, 72-2048, 72-10302A, 72-10302B, 72-10303C,
72-10303, 72-10304, 72-16779 and 72-16781A are limited to the
irrigation of a combined total of 393 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.

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WATER RESOURCES

Eric J. Wildman
Presiding Judge of the
Snake River District Court
RECOMMENDATION
JUN 30 2014
SPECIAL MASTER

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DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA
Fifth Judicial District
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)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

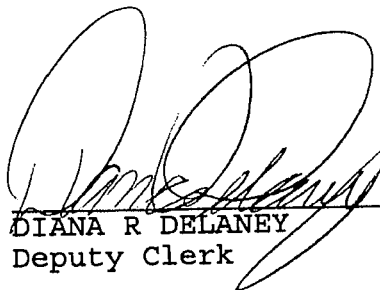
Water Right(s): 72-16781
72-16781A 72-16781B

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.

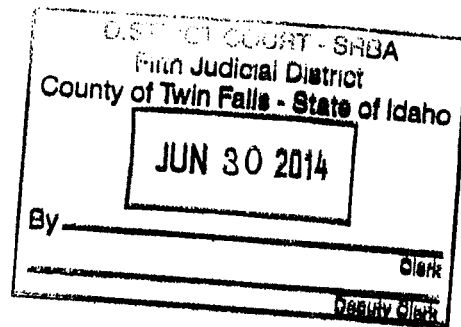
DATED June 30, 2014.


DIANA R DELANEY
Deputy Clerk

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DEPARTMENT OF
WATER RESOURCES



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): 72-16781

72-16781A 72-16781B

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

EDDIE BAKER JR
EDDIE E BAKER
Represented by:
DANIEL V STEENSON
SAWTOOTH LAW OFFICES PLLC
1101 W RIVER ST STE 110
PO BOX 7985
BOISE, ID 83707
Phone: 208-629-7447

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

CERTIFICATE OF MAILING

DIANA R DELANEY
Deputy Clerk

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06/30/14