

RECEIVED

OCT 26 2020

DEPARTMENT OF  
WATER RESOURCES

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

OCT 23 2020

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

)

)

) FOR WATER RIGHTS: 67-15311,

)

) 67-15312, 67-15313, and 67-15314

Notices of claim were filed for the above-captioned water rights pursuant to the procedures for filing of deferred *de minimis* domestic or stockwater claims. The Director of the State of Idaho Department of Water Resources (IDWR) examined these claims and filed a *Director's Report of Deferred De Minimis Domestic or Stockwater Use*.

No objections were filed to the *Director's Report* for these claims. At a scheduling conference held on the record on October 19, 2020, regarding some related contested subcases, the parties and IDWR agreed that the four above-captioned water right claims can proceed to partial decree with the elements as recommended in the *Director's Report*.

Therefore based on the file and record herein, IT IS RECOMMENDED that the water rights 67-15311, 67-15312, 67-15313, and 67-15314 be decreed with the elements as set forth in the attached *Recommendations for Partial Decrees Pursuant to I.R.C.P. 54(b)*.

Dated October 23, 2020



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

Case No. 39576

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR

Water Right 67-15311

NAME AND ADDRESS: ECKHARDT FAMILY LLLP  
1275 JENKINS CREEK ROAD  
WEISER, ID 83672-5158

SOURCE: UNNAMED STREAM TRIBUTARY: SHEEP CREEK

QUANTITY: 0.02 CFS

The quantity of water under this right shall not exceed 13,000  
gallons per day.

PRIORITY DATE: 04/26/1917

POINT OF DIVERSION: T12N R05W S08 SWSW (Instream Beginning Point) Within Washington County  
SWSW (Instream Ending Point)

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Stockwater     | 01-01 TO 12-31 | 0.02 CFS |

Stockwater use is for the in-stream watering of livestock.

PLACE OF USE: Stockwater Within Washington County  
T12N R05W S08 SWSW

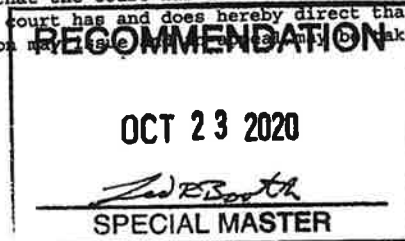
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right is not a  
determination of historical beneficial use.

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 be issued and enforced as provided by the Idaho Appellate Rules.



Eric J. Wildman  
Presiding Judge of the  
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

Case No. 39576

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR

Water Right 67-15312

NAME AND ADDRESS: ECKHARDT FAMILY LLLP  
1275 JENKINS CREEK ROAD  
WEISER, ID 83672-5158

SOURCE: UNNAMED STREAM TRIBUTARY: SHEEP CREEK

QUANTITY: 0.02 CFS

The quantity of water under this right shall not exceed 13,000  
gallons per day.

PRIORITY DATE: 04/26/1917

POINT OF DIVERSION: T12N R05W S07 NENE (Instream Beginning Point) Within Washington County  
NESE (Instream Ending Point)

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Stockwater     | 01-01 TO 12-31 | 0.02 CFS |

Stockwater use is for the in-stream watering of livestock.

| PLACE OF USE: | Stockwater    |              | Within Washington County |
|---------------|---------------|--------------|--------------------------|
|               | T12N R05W S07 | NENE<br>NESE | SENE                     |

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right is not a  
determination of historical beneficial use.

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  
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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.

RECOMMENDATION

OCT 23 2020

*Eric J. Wildman*  
SPECIAL MASTER

Eric J. Wildman  
Presiding Judge of the  
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 )  
Case No. 39576 )  
PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 67-15313

NAME AND ADDRESS: ECKHARDT FAMILY LLLP  
1275 JENKINS CREEK ROAD  
WEISER, ID 83672-5158

SOURCE: UNNAMED STREAM TRIBUTARY: MONROE CREEK

QUANTITY: 0.02 CFS

The quantity of water under this right shall not exceed 13,000  
gallons per day.

PRIORITY DATE: 04/20/1927

POINT OF DIVERSION: T12N R05W S06 NESE (Instream Ending Point) Within Washington County  
NESE (Instream Beginning Point)

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

Stockwater use is for the in-stream watering of livestock.

PLACE OF USE: Stockwater Within Washington County  
T12N R05W S06 NESE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right is not a  
determination of historical beneficial use.

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  
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RECOMMENDATION

OCT 23 2020

*Eric J. Wildman*  
SPECIAL MASTER

Eric J. Wildman  
Presiding Judge of the  
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

Case No. 39576

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR

Water Right 67-15314

NAME AND ADDRESS:

ECKHARDT FAMILY LLLP  
1275 JENKINS CREEK ROAD  
WEISER, ID 83672-5158

SOURCE:

UNNAMED STREAM TRIBUTARY: SCOTT CREEK

QUANTITY:

0.02 CFS

The quantity of water under this right shall not exceed 13,000  
gallons per day.

PRIORITY DATE:

01/01/1982

POINT OF DIVERSION:

T13N R06W S36

NWSW

(Instream Ending Point)

Within Washington County

NWNW

(Instream Beginning Point)

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE  
Stockwater

PERIOD OF USE  
01-01 TO 12-31

QUANTITY  
0.02 CFS

Stockwater use is for the in-stream watering of livestock.

PLACE OF USE:

Stockwater

T13N R06W S36

NWNW

NWSW

Within Washington County

SWNW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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RECOMMENDATION

OCT 23 2020

*Eric J. Wildman*  
SPECIAL MASTER

Eric J. Wildman  
Presiding Judge of the  
Snake River Basin Adjudication

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

OCT 23 2020

By

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 CSRBA )

Case No. 49576 )

NOTICE OF ISSUANCE OF  
SPECIAL MASTER'S  
RECOMMENDATION

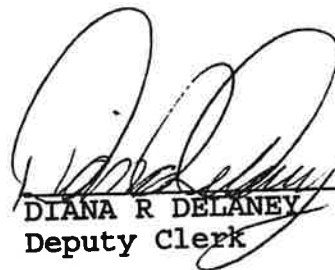
Water Right(s): 67-15311  
67-15312 67-15313 67-15314

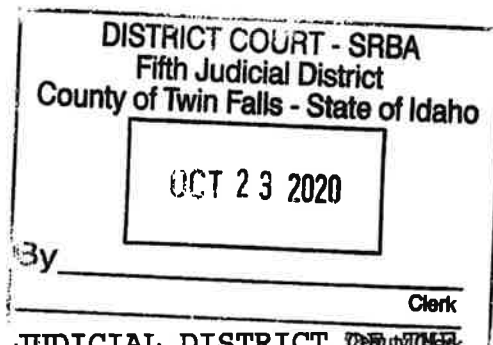
On October 23, 2020, Special Master 00000  
issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s)  
pursuant to CSRBA Administrative Order 1 (A01), Section 18a.

Pursuant to CSRBA Administrative Order 1 (A01), Section 18a, 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 October 23, 2020.

  
DIANA R DELANEY  
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): 67-15311  
67-15312 67-15313 67-15314

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 October 23, 2020, with sufficient first-class postage prepaid to the following:

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

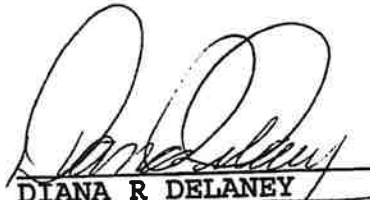
ECKHARDT FAMILY LLLP  
Represented by:  
AARON M WORTHEN  
350 MEMORIAL DRIVE, STE 300  
IDAHO FALLS, ID 83402  
Phone: 208-522-6700

CERTIFICATE OF MAILING

PAGE 1  
10/23/20

ECKHARDT FAMILY LLLP

Represented by:  
NORMAN M SEMANKO  
PARSONS BEHLE & LATIMER  
800 WEST MAIN STREET STE 1300  
BOISE, ID 83702  
Phone: 208-562-4900

  
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DIANA R DELANEY  
Deputy Clerk

CERTIFICATE OF MAILING

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