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OCT 23 2023

DEPARTMENT OF
WATER RESOURCES

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

OCT 19 2023

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) FOR WATER RIGHT 57-12068
_____))
_____))
_____))
_____))

On April 19, 2021, claimant Cegnar Land LLC filed a *Motion for Determination of Deferred De Minimis Domestic or Stock Water Use* for the above-captioned water right pursuant to the procedures for filing deferred *de minimis* domestic or stockwater claims. The Director of the State of Idaho Department of Water Resources (IDWR) examined this claim and filed a *Director's Report of Deferred De Minimis Stockwater Use*.

On June 27, 2022, Mary Louise Mansisor filed an objection to the *Director's Report*. On October 6, 2023, the parties filed a *Standard Form 5 – Stipulated Elements of a Water Right* which resolved the objection. IDWR concurred with the stipulation.

Therefore, based on the file and record herein and pursuant to the *Standard Form 5*, IT IS RECOMMENDED that water right 57-12068 be **decreed** with the elements as set forth in the attached *Recommendation for Partial Decree Pursuant to I.R.C.P. 54(b)*.

Dated Oct. 19, 2023



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

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

In Re SRBA

Case No. 39576

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

Water Right 57-12068

OCT 19 2023

By _____ Clerk
Deputy Clerk

NAME AND ADDRESS:

CEGNAR LAND LLC
1208 SHEFFIELD PL
LEXINGTON, KY 40509-2034

SOURCE:

JUMP CREEK TRIBUTARY: SNAKE RIVER

QUANTITY:

0.02 CFS

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

PRIORITY DATE:

09/08/1967

POINT OF DIVERSION:

T03N R05W S34

NENW (Instream Ending Point)
SENE (Instream Beginning Point)

Within Owyhee County

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
T03N R05W S34

NENW

Within Owyhee County
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 water right is subject to terms of a private agreement,
recorded at the Owyhee County Recorder's Office on September 8,
2023 as instrument number 315934

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.

RECOMMENDATION

OCT 19 2023

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 19 2023

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): 57-12068

On October 19, 2023, Special Master THEODORE R. BOOTH issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (A01), Section 13a.

Pursuant to SRBA Administrative Order 1 (A01), 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 October 19, 2023.


DIANA R DELANEY
Deputy Clerk

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

OCT 19 2023

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 SRBA)

Case No. 39576)

CERTIFICATE OF MAILING

Water Right(s): 57-12068

CERTIFICATE OF MAILING

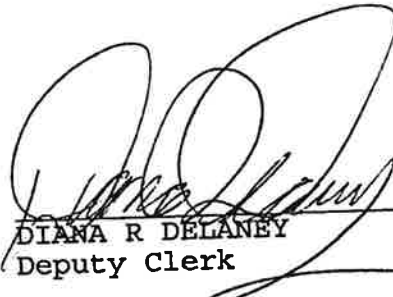
I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on October 19, 2023, with sufficient first-class postage prepaid to the following:

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

MARY LOUISE MANSISIDOR
Represented by:
DEBRA L. EISMANN
3016 CALDWELL BLVD
NAMPA, ID 83651
Phone: 208-467-3100

CEGNAR LAND LLC
Represented by:
ROBERT J. TUNISON
TUNISON LAW PLLC
110 N 9TH AVE
CALDWELL, ID 83605

CERTIFICATE OF MAILING


DIANA R. DELANEY
Deputy Clerk

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