

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 AND |
|----------------|---|-----------------------------|
| |) | RECOMMENDATION; FINDINGS OF |
| Case No. 39576 |) | FACT AND CONCLUSIONS OF LAW |
| |) | FOR WATER RIGHT 31-12488 |
| |) | |

I. FINDINGS OF FACT

A notice of 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* contained a recommendation for the elements of this water right.

An Objection was filed by the United States Bureau of Land Management on July 26, 2022. The Objection to this water right was resolved with the filing of a Standard Form 5/Amended Claim on April 3, 2024. All parties to the subcase and IDWR are signatories to the Standard Form 5/Amended Claim.

The Standard Form 5/Amended Claim was placed on the Docket Sheet. No objections were filed and the time for filing such objections has now expired. There are no unresolved objections remaining in this subcase.

II. CONCLUSIONS OF LAW

Therefore, 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: June ______, 2024.

Special Master

Snake River Basin Adjudication

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DISTRICT COURT - SRBA Fifth Judicial District IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DESCRIPTION OF THE FIFTH JUDIC STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS IIIN 1 1 2024 PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b) FOR Clerk Water Right 31-12488 Deputy Clerk

NAME AND ADDRESS:

UNITED STATES OF AMERICA

USDI BLM

IDAHO STATE OFFICE 1387 SOUTH VINNELL WAY BOISE, ID 83709-1657

SOURCE:

GROUND WATER

QUANTITY:

In Re SRBA

Case No. 39576

0.04 CFS

The quantity of water under this right shall not exceed 13,000

gallons per day.

PRIORITY DATE:

09/01/1987

POINT OF DIVERSION:

T12N R38E S17

SENE

Within Clark County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

Stockwater

PERIOD OF USE

QUANTITY

01-01 TO 12-31

0.04 CFS

PLACE OF USE:

Stockwater

T12N R38E S17

SENE

Within Clark County

This right is appurtenant to the place of use pursuant to Idaho Code 42-101 and 42-1402.

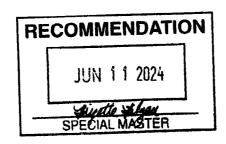
OTHER PROVISIONS NECESSARY FOR DEPINITION OR ADMINISTRATION OF THIS, WATER RIGHT:

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

JUN 1 1 2024

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)

NOTICE OF ISSUANCE OF SPECIAL MASTER'S RECOMMENDATION

Water Right(s): 31-12488

On June 11, 2024, Special Master BRIGETTE BILYEU 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 June 11, 2024.

JANET CONNELL Deputy Clerk

| DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho | | | | | | |
|---|---|---|------|---------------|---------|--|
| JUN | 1 | 1 | 2024 | | | |
| Bv | | | | _ | | |
| | | | | \mathcal{L} | Clerk | |
| | | | | Deput | y 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): 31-12488

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 June 11, 2024, 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: U S DEPARTMENT OF JUSTICE ENVIRO & NAT'L RESOURCES DIV 550 WEST FORT STREET, MSC 033 BOISE, ID 83724

Deputy Clerk