

## BASIN 77 GENERAL PROVISIONS

**The Director of the Idaho Department of Water Resources recommends to the Snake River Basin Adjudication District Court that the following general provisions be included in the decree determining rights to water from Basin 77.**

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The following water rights from the following sources of water in Basin 77 shall be administered separately from all other water rights in Basin 77 in accordance with the prior appropriation doctrine as established by Idaho law:

<u>Water Right No.</u>	<u>Source</u>
None	None

The following water rights from the following sources of water in Basin 77 shall be administered separately from all other water rights in the Snake River Basin in accordance with the prior appropriation doctrine as established by Idaho law:

<u>Water Right No.</u>	<u>Source</u>
None	None

Except as otherwise specified above, all other water rights within Basin 77 will be administered as connected sources of water in the Snake River Basin in accordance with the prior appropriation doctrine as established by Idaho law.

RECEIVED

OCT 25 2013

DEPARTMENT OF  
WATER RESOURCES

DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
OCT 24 2013	
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	)	
	)	<b>SPECIAL MASTER'S REPORT AND</b>
Case No. 39576	)	<b>RECOMMENDATION FOR GENERAL</b>
	)	<b>PROVISIONS IN BASIN 77</b>
_____	)	

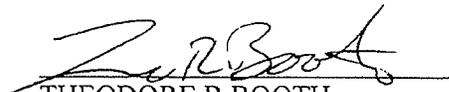
On March 31, 2006, pursuant to Idaho Code § 42-1411(3), the Director of the Idaho Department of Water Resources filed a *Director's Report* recommending general provisions applicable to water rights in Basin 77. The only general provision recommended by the Director in Basin 77 is the connected sources (conjunctive management) general provision.

A review of the Court's files and records reveals that no objections have been specifically filed to the general provision portion of the Basin 77 *Director's Report*. Additionally there are currently no unresolved subcases in Basin 77.

On February 27, 2002, Judge Burdick issued a *Memorandum Decision and Order of Partial Decree* in Basin Wide Issue 5 (Connected Sources General Provision), subcase 91-00005. Therein, Judge Burdick decreed the form of the conjunctive management general provision to be used in each administrative basin within the Snake River Basin Adjudication. This Special Master finds that connected sources general provision recommended in the Basin 77 *Director's Report* is consistent with the *Order* issued in Basin Wide Issue 5.

In accordance with the foregoing, IT IS RECOMMENDED that the Basin 77 general provisions be **decreed** as set forth in the attached *Recommendation for Partial Decree Pursuant to I.R.C.P. 54(b) for General Provisions in Basin 77*.

Dated Oct 24, 2013

  
THEODORE R BOOTH  
Special Master  
Snake River Basin Adjudication

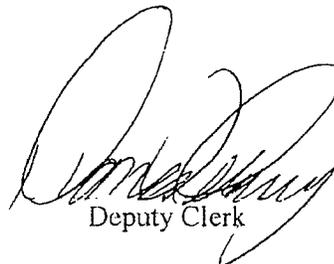
#### CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT AND RECOMMENDATION FOR GENERAL PROVISIONS IN BASIN 77 was mailed on Oct 24, 2013 with sufficient first-class postage to the following:

Director of IDWR  
PO Box 83720  
Boise, ID 83720-0098

Chief, Natural Resources Div.  
Office of the Attorney General  
State of Idaho  
PO Box 44449  
Boise, Idaho 83711-4449

U.S. Department of Justice  
Environment & Natural Resources Div.  
550 W Fort St., MSC 033  
Boise, ID 83724

  
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  _____	) ) ) ) )	<b>PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b) FOR GENERAL PROVISIONS IN BASIN 77</b>
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The following general provisions are hereby decreed to be applicable to water rights in Basin 77.

The following water rights from the following sources of water in Basin 77 shall be administered separately from all other water rights in Basin 77 in accordance with the prior appropriation doctrine as established by Idaho law.

<u>Water Right No.</u>	<u>Source</u>
NONE	NONE

The following water rights from the following sources of water in Basin 77 shall be administered separately from all other water rights in the Snake River Basin in accordance with the prior appropriation doctrine as established by Idaho law.

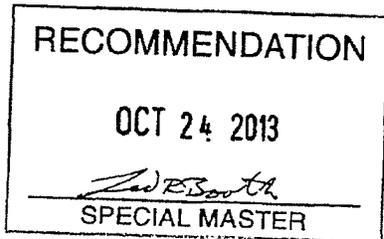
<u>Water Right No.</u>	<u>Source</u>
NONE	NONE

Except as otherwise specified above, all other water rights within Basin 77 will be administered as connected sources of water in the Snake River Basin in accordance with the prior appropriation doctrine as established by Idaho law.

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 in the Idaho Appellate Rules.

Dated \_\_\_\_\_



\_\_\_\_\_  
ERIC J. WILDMAN  
Presiding Judge  
Snake River Basin Adjudication