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Department of Water Resources
Regulation Bureau

2002 AUG -1 PM 12: 52

DISTRICT COURT-SRBA
TWIN FALLS, IDAHO
FILED

**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	)	Subcases 43-00177A, 43-02333, 43-02334,
	)	43-02415A and 43-02415B
Case No. 39576	)	(Jones)
	)	
	)	SPECIAL MASTER REPORT,
	)	ORDER DISMISSING UNITED
	)	STATES OBJECTION and ORDER
	)	VACATING INITIAL HEARING

Findings of Fact

Glenn L. Jones, HC 72, Box 2220, Malta, Idaho 83342, Lorin G. Jones, 2355 East, 2425 South, Box 2221, Malta, Idaho 83342, and Hazel R. Jones, 2425 South, 2385 East, Box 2220, Malta, Idaho 83342, filed a *Notice of Claim to a Water Right* under 43-00177A on April 14, 1989, claiming 4.63 cfs from Raft River to irrigate 230 acres in Cassia County from March 15 to November 1 with a priority date of May 24, 1909. The Director of the Idaho Department of Water Resources filed his *Director's Reports for Irrigation and Other, Reporting Area 7, IDWR Basin 43, Part I* on September 28, 2001. The Director recommended claim 43-00177A as filed, but for 4.22 cfs to irrigate 211 acres in combination with overlapping (and uncontested) claims 43-02333, 43-02334, 43-02415A and 43-02415B.

The United States of America, Department of Interior, Bureau of Land Management filed an *Objection* on February 8, 2002, objecting to priority date, point of diversion and place of use. However, on July 31, 2002, the United States filed a *Motion to Dismiss Objection* in subcase 43-00177A because: "Settlement discussions with the claimant revealed that BLM's objection to the point of diversion should be dismissed, with prejudice." Presumably, the BLM also wants its objections to priority date and place of use dismissed.

Order

THEREFORE, IT IS ORDERED that:

1. The United States *Objection* in subcase 43-00177A is **dismissed**, with prejudice, and
2. The initial hearing set for August 14, 2002, is **vacated**.

Conclusions of Law

Glenn, Lorin and Hazel Jones are entitled to partial decrees adjudicating water rights under claims 43-00177A, 43-02333, 43-02334, 43-02415A and 43-02415B as recommended by IDWR and as described in the attached *Special Master Recommendations for Partial Decrees for Water Rights 43-00177A, 43-02333, 43-02334, 43-02415A and 43-02415B*.

DATED August 1, 2002.



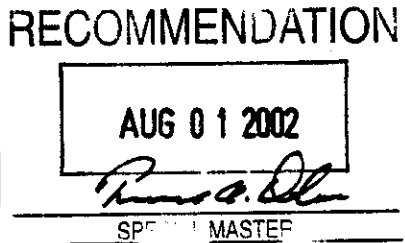
TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

PAGE 1
Jul-31-2002

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.



Roger Burdick
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

2002 AUG -1 PM 12: 52

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 43-02333

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED *OW*

NAME AND ADDRESS: GLENN L JONES
HC 72 BOX 2220
MALTA, ID 83342

LORIN G JONES
2355 E 2425 S BOX 2221
MALTA, ID 83342

HAZEL R JONES
2425 S 2385 E BOX 2220
MALTA, ID 83342

SOURCE: GROUND WATER

QUANTITY: 1.16 CFS
280.00 AFY

WHEN COMBINED THE FOLLOWING RIGHT NOS. SHALL PROVIDE NO MORE
THAN .02 CFS PER ACRE.: 43-00177A, 43-02333, 43-02334,
43-02415A, & 43-02415B.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 4.22 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 844 AF. COMBINED RIGHT NOS.: 43-02333,
43-02334, 43-02415A, & 43-02415B.

PRIORITY DATE: 02/22/1951

POINT OF DIVERSION: T14S R27E S29 SENESW Within Cassia County
S30 SENENE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	1.16 CFS 280.00 AFY

PLACE OF USE:	Irrigation	Within Cassia County
	T14S R27E S29	NENW 40.0 NWNW 40.0 SWNW 26.0 SENEW 38.0 NESW 39.0 NWSW 28.0
	211.0 Acres Total	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 70 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 211 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 43-00177A, 43-02333, 43-02334, 43-02315A, &
43-02315B.

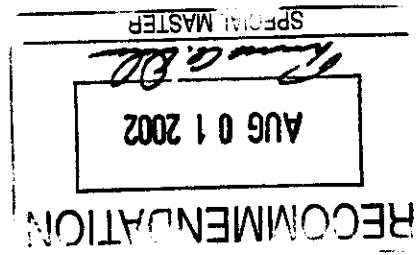
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 be taken as provided by the Idaho Appellate Rules.

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication



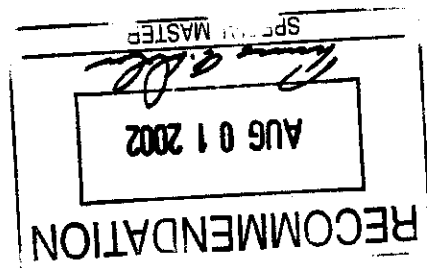
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Snake River Basin Adjudication



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

2002 AUG 1 PM 12: 52
DISTRICT COURT-SRBA
TWIN FALLS, IDAHO
FILED

In Re SRBA)
)
Case No. 39576)
)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 43-02415A

NAME AND ADDRESS: GLENN L JONES
 HC 72 BOX 2220
 MALTA, ID 83342

 LORIN G JONES
 2355 E 2425 S BOX 2221
 MALTA, ID 83342

 HAZEL R JONES
 2425 S 2385 E BOX 2220
 MALTA, ID 83342

SOURCE: GROUND WATER

QUANTITY: 0.44 CFS
 300.00 AFY

WHEN COMBINED THE FOLLOWING RIGHT NOS. SHALL PROVIDE NO MORE
THAN .02 CFS PER ACRE.: 43-00177A, 43-02333, 43-02334,
43-02415A, & 43-02415B.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 4.22 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 844 AF. COMBINED RIGHT NOS.: 43-02333,
43-02334, 43-02415A, & 43-02415B.

PRIORITY DATE: 01/20/1955

POINT OF DIVERSION: T14S R27E S29 SENESEW Within Cassia County
 S30 SENESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.44 CFS 300.00 AFY

PLACE OF USE:	Irrigation		Within Cassia County
	T14S R27E S29	NENW 40.0	NWNW 40.0
		SWNW 26.0	SENE 38.0
		NESW 39.0	NWSW 28.0
	211.0 Acres Total		

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 75 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 211 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 43-00177A, 43-02333, 43-02334, 43-02315A, &
43-02315B.

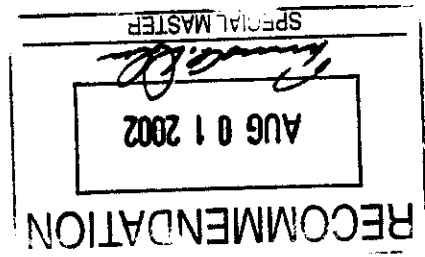
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

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Roger Burdick
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

2002 AUG -1 PM 12: 52
DISTRICT COURT-SRBA
TWIN FALLS, IDAHO
FILED *[Signature]*

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
_____) Water Right 43-02415B

NAME AND ADDRESS: GLENN L JONES
 HC 72 BOX 2220
 MALTA, ID 83342

 LORIN G JONES
 2355 E 2425 S BOX 2221
 MALTA, ID 83342

 HAZEL R JONES
 2425 S 2385 E BOX 2220
 MALTA, ID 83342

SOURCE: GROUND WATER

QUANTITY: 1.40 CFS
 300.00 AFY

WHEN COMBINED THE FOLLOWING RIGHT NOS. SHALL PROVIDE NO MORE
THAN .02 CFS PER ACRE.: 43-00177A, 43-02333, 43-02334,
43-02415A, & 43-02415B.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 4.22 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 844 AF. COMBINED RIGHT NOS.: 43-02333,
43-02334, 43-02415A, & 43-02415B.

PRIORITY DATE: 01/20/1955

POINT OF DIVERSION: T14S R27E S29 SENESW Within Cassia County
 S30 SENENE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	1.40 CFS 300.00 AFY

PLACE OF USE:	Irrigation	Within Cassia County
	T14S R27E S29	NENW 40.0 NWNW 40.0 SWNW 26.0 SENW 38.0 NESW 39.0 NWSW 28.0
	211.0 Acres Total	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 75 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

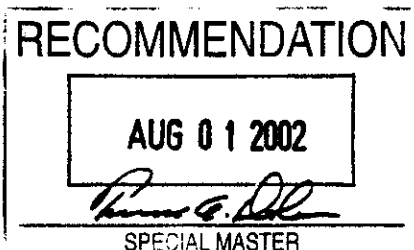
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 211 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 43-00177A, 43-02333, 43-02334, 43-02315A, &
43-02315B.

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
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ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

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Presiding Judge of the
Snake River Basin Adjudication

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DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO

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): 43-00177A
43-02333 43-02334 43-02415A
43-02415B

On August 01, 2002, Special Master TERRENCE A. DOLAN 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 August 01, 2002.


LETTIE MESSICK
Deputy Clerk

2002 AUG -1 PM 12: 52

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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): 43-00177A
43-02333 43-02334 43-02415A
43-02415B

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 August 01, 2002, 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:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

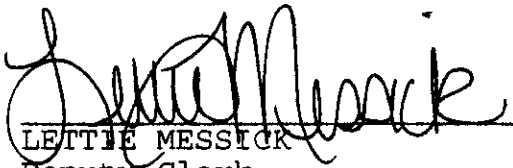
GLENN L JONES
HC 72 BOX 2220
MALTA, ID 83342
Phone: 208-645-2446

CERTIFICATE OF MAILING

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08/01/02

LORIN G JONES
2355 E 2425 S BOX 2221
MALTA, ID 83342
Phone: 208-645-2446

HAZEL R JONES
2425 S 2385 E BOX 2220
MALTA, ID 83342
Phone: 208-645-2446


LETTIE MESSICK
Deputy Clerk