

JUL 29 PM 3:08

DISTRICT COURT-SRBA

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	)	Subcase 36-00196
	)	(Jentzsch)
Case No. 39576	)	
	)	SPECIAL MASTER REPORT

Findings of Fact

Seattle-First National Bank filed a *Notice of Claim to a Water Right* on November 1, 1988, claiming 6 cfs from groundwater for year-'round domestic use and for irrigation of 530 acres from March 15 to November 15 with a priority date of June 22, 1960, based on a decree. The Director of the Idaho Department of Water Resources filed his *Director's Report, Part 1, for Reporting Area 3 (Basin 36)* on November 2, 1992. The Director recommended claim 36-00196 to Rodney and Shirley Jentzsch, 480 East, 1500 North, Rupert, Idaho 83350, for 6 cfs to irrigate 493 acres from April 1 to October 31.

On January 23, 1998, the Special Master entered an *Order Granting Motion to File Late Objection* allowing the claimants to object to place of use. On May 23, 2002, the claimants and IDWR filed a *Standard Form 5* agreeing to irrigation of 320 acres within a 530 acre place of use from March 15 to November 15.

Conclusions of Law

Rodney and Shirley Jentzsch are entitled to a partial decree adjudicating a water right as described in the *Standard Form 5* and the attached *Special Master Recommendation for Partial Decree for Water Right 36-00196*.

DATED May 29, 2002.

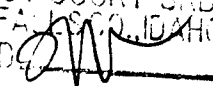


TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

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 36-00196

2002 MAY 29 PM 3:08
DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO
FILED 

NAME AND ADDRESS: RODNEY JENTZSCH
SHIRLEY JENTZSCH
480 EAST 1500 NORTH
RUPERT, ID 83350

SOURCE: GROUNDWATER

QUANTITY: 6.00 CFS
1280.00 AFY

USE OF THIS RIGHT WITH RIGHT NO. 36-15536 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 6.0 CFS.

PRIORITY DATE: 06/22/1960

POINT OF DIVERSION: T06S R24E S33 NWNE Within Minidoka County
T07S R24E S01 LOT 02 (NWNWNE)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	6.00 CFS 1280.00 AFY

PLACE OF USE:	Irrigation	Within Minidoka County
T06S R24E S33	NENE 40.0 SWNE 40.0 NESE 40.0 SWSE 40.0	NWNE 40.0 SENE 40.0 NWSE 40.0 SESE 40.0
T07S R24E S01 LOT 01	(NENE) 17.0 SWNE 39.0	LOT 02 (NWNE) 17.0 SENE 39.0
LOT 03	(NENW) 13.0 SWNW 38.0	LOT 04 (NWNW) 12.0 SENW 35.0
530.0 Acres Total		

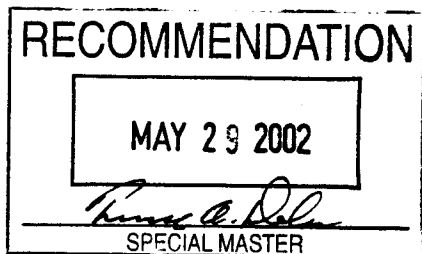
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 320 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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 issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

MAY 29 PM 3:08

DISTRICT COURT-SRBA
TWIN FALLS, 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): 36-00196

On May 29, 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 May 29, 2002.



LETTIE MESSICK
Deputy Clerk

MAY 29 PM 3:08

DISTRICT COURT-SRBA
TWIN FALLS, IDAHO
FILED *DM*

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)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s): 36-00196

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 May 29, 2002, with sufficient first-class postage prepaid to the following:

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

RODNEY & SHIRLEY JENTZSCH
RODNEY JENTZSCH
SHIRLEY JENTZSCH

Represented by:
JAMES P. SPECK
SPECK & AANESTAD
120 EAST AVENUE
PO BOX 987
KETCHUM, ID 83340
Phone: 208-726-4421

Lettie Messick

LETTIE MESSICK
Deputy Clerk

CERTIFICATE OF MAILING

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