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DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

2006 MAY 19 AM 11 31

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

RECEIVED

MAY 23 2006

In Re SRBA

) Subcases 45-2621, 45-7261 and 45-13399

) (Hobson)

Case No. 39576

)

) AMENDED SPECIAL MASTER

) REPORT

DEPARTMENT OF
WATER RESOURCES

Findings of Fact

David and Lisa Hobson, 24 South, 700 West, Burley, Idaho, 83318, filed a *Notice of Claim to a Water Right* on February 13, 2001, claiming .95 cfs from groundwater to irrigate 389.5 acres in Cassia County from March 15 to November 15 with a priority date of March 15, 1976, based on beneficial use. The Director of the Idaho Department of Water Resources filed his *Director's Report for Irrigation and Other, Reporting Area 10, IDWR Basin 45* on September 7, 2004.¹ The Director recommended claim 45-13399 as an enlargement for .26 cfs to irrigate 309 acres.

The Hobsons filed an *Objection* on March 11, 2005, in subcase 45-13399 objecting to priority date and place of use. On May 16, 2005, the Special Master entered an *Order Granting Motions* allowing the Hobsons to file a late objection and to amend their claim.

IDWR filed an *Amended Director's Report* on February 17, 2006, recommending 45-13399 for .95 cfs to irrigate 101 acres within a 389.5 acre place of use as a subordinated water right with a priority date of March 15, 1987. IDWR filed its *Second*

¹ The Director recommended claim 45-2621 to the Hobsons for 3.67 cfs from groundwater to irrigate 245 acres within a 309 acre place of use in Cassia County from March 15 to November 15 with a priority date of June 9, 1960, based on a license. The Director recommended claim 45-7261 to the Hobsons for .9 cfs from groundwater to irrigate 45 acres within the same 309 acre place of use in Cassia County from April 1 to November 1 with a priority date of March 13, 1976, based on a license. Neither claim was contested, but the place of use recommended by the Director was adjusted to 389.5 acres to equal the place of use recommended for 45-13399.

Amended Director's Report on March 24, 2006, to change the priority date to March 15, 1976. No one objected to the *Second Amended Director's Report*.

The Special Master entered a *Special Master Report* in subcase 45-13399 on May 9, 2006, but uncontested overlapping claims 45-2621 and 45-7261 were omitted. This *Report* includes those claims.

Conclusions of Law

The Hobsons are entitled to partial decrees adjudicating water rights as described in the *Director's Report* (45-2621 and 45-7261), the *Second Amended Director's Report* (45-13399) and the attached *Amended Special Master Recommendation for Partial Decrees for Water Rights 45-2621, 45-7261 and 45-13399*.

DATED May 19, 2006.


TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

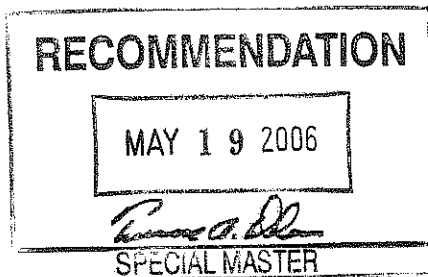
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2006 MAY 19 AM 11 31

PAGE 1
May-16-2006

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.



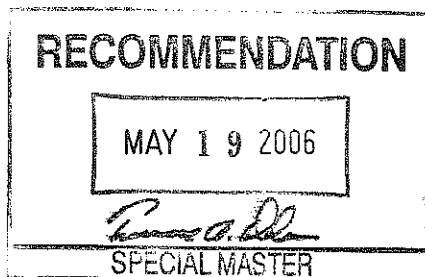
John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

1. **Abstract**
 2. **Introduction**
 3. **Methods**
 4. **Results**
 5. **Discussion**
 6. **Conclusion**
 7. **References**
 8. **Appendix**
 9. **Tables**
 10. **Figures**
 11. **Supplementary Materials**
 12. **Correspondence**
 13. **Conflict of Interest**
 14. **Acknowledgments**
 15. **References**
 16. **Appendix**
 17. **Tables**
 18. **Figures**
 19. **Supplementary Materials**
 20. **Correspondence**
 21. **Conflict of Interest**
 22. **Acknowledgments**
 23. **References**
 24. **Appendix**
 25. **Tables**
 26. **Figures**
 27. **Supplementary Materials**
 28. **Correspondence**
 29. **Conflict of Interest**
 30. **Acknowledgments**
 31. **References**
 32. **Appendix**
 33. **Tables**
 34. **Figures**
 35. **Supplementary Materials**
 36. **Correspondence**
 37. **Conflict of Interest**
 38. **Acknowledgments**
 39. **References**
 40. **Appendix**
 41. **Tables**
 42. **Figures**
 43. **Supplementary Materials**
 44. **Correspondence**
 45. **Conflict of Interest**
 46. **Acknowledgments**
 47. **References**
 48. **Appendix**
 49. **Tables**
 50. **Figures**
 51. **Supplementary Materials**
 52. **Correspondence**
 53. **Conflict of Interest**
 54. **Acknowledgments**
 55. **References**
 56. **Appendix**
 57. **Tables**
 58. **Figures**
 59. **Supplementary Materials**
 60. **Correspondence**
 61. **Conflict of Interest**
 62. **Acknowledgments**
 63. **References**
 64. **Appendix**
 65. **Tables**
 66. **Figures**
 67. **Supplementary Materials**
 68. **Correspondence**
 69. **Conflict of Interest**
 70. **Acknowledgments**
 71. **References**
 72. **Appendix**
 73. **Tables**
 74. **Figures**
 75. **Supplementary Materials**
 76. **Correspondence**
 77. **Conflict of Interest**
 78. **Acknowledgments**
 79. **References**
 80. **Appendix**
 81. **Tables**
 82. **Figures**
 83. **Supplementary Materials**
 84. **Correspondence**
 85. **Conflict of Interest**
 86. **Acknowledgments**
 87. **References**
 88. **Appendix**
 89. **Tables**
 90. **Figures**
 91. **Supplementary Materials**
 92. **Correspondence**
 93. **Conflict of Interest**
 94. **Acknowledgments**
 95. **References**
 96. **Appendix**
 97. **Tables**
 98. **Figures**
 99. **Supplementary Materials**
 100. **Correspondence**
 101. **Conflict of Interest**
 102. **Acknowledgments**
 103. **References**
 104. **Appendix**
 105. **Tables**
 106. **Figures**
 107. **Supplementary Materials**
 108. **Correspondence**
 109. **Conflict of Interest**
 110. **Acknowledgments**
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 112. **Appendix**
 113. **Tables**
 114. **Figures**
 115. **Supplementary Materials**
 116. **Correspondence**
 117. **Conflict of Interest**
 118. **Acknowledgments**
 119. **References**
 120. **Appendix**
 121. **Tables**
 122. **Figures**
 123. **Supplementary Materials**
 124. **Correspondence**
 125. **Conflict of Interest**
 126. **Acknowledgments**
 127. **References**
 128. **Appendix**
 129. **Tables**
 130. **Figures**
 131. **Supplementary Materials**
 132. **Correspondence**
 133. **Conflict of Interest**
 134. **Acknowledgments**
 135. **References**
 136. **Appendix**
 137. **Tables**
 138. **Figures**
 139. **Supplementary Materials**
 140. **Correspondence**
 141. **Conflict of Interest**
 142. **Acknowledgments**
 143. **References**
 144. **Appendix**
 145. **Tables**
 146. **Figures**
 147. **Supplementary Materials**
 148. **Correspondence**
 149. **Conflict of Interest**
 150. **Acknowledgments**
 151. **References**
 152. **Appendix**
 153. **Tables**
 154. **Figures**
 155. **Supplementary Materials**
 156. **Correspondence**
 157. **Conflict of Interest**
 158. **Acknowledgments**
 159. **References**
 160. **Appendix**
 161. **Tables**
 162. **Figures**
 163. **Supplementary Materials**
 164. **Correspondence**
 165. **Conflict of Interest**
 166. **Acknowledgments**
 167. **References**
 168. **Appendix**
 169. **Tables**
 170. **Figures**
 171. **Supplementary Materials**
 172. **Correspondence**
 173. **Conflict of Interest**
 174. **Acknowledgments**
 175. **References**
 176. **Appendix**
 177. **Tables**
 178. **Figures**
 179. **Supplementary Materials**
 180. **Correspondence**
 181. **Conflict of Interest**
 182. **Acknowledgments**
 183. **References**
 184. **Appendix**
 185. **Tables**
 186. **Figures**
 187. **Supplementary Materials**
 188. **Correspondence**
 189. **Conflict of Interest**
 190. **Acknowledgments**
 191. **References**
 192. **Appendix**
 193. **Tables**
 194. **Figures**
 195. **Supplementary Materials**
 196. **Correspondence**
 197. **Conflict of Interest**
 198. **Acknowledgments**
 199. **References**
 200. **Appendix**
 201. **Tables**
 202. **Figures**
 203. **Supplementary Materials**
 204. **Correspondence**
 205. **Conflict of Interest**
 206. **Acknowledgments**
 207. **References**
 208. **Appendix**
 209. **Tables**
 210. **Figures**
 211. **Supplementary Materials**
 212. **Correspondence**
 213. **Conflict of Interest**
 214. **Acknowledgments**
 215. **References**
 216. **Appendix**
 217. **Tables**
 218. **Figures**
 219. **Supplementary Materials**
 220. **Correspondence**
 221. **Conflict of Interest**
 222. **Acknowledgments**
 223. **References**
 224. **Appendix**
 225. **Tables**
 226. **Figures**
 227. **Supplementary Materials**
 228. **Correspondence**
 229. **Conflict of Interest**
 230. **Acknowledgments**
 231. **References**
 232. **Appendix**
 233. **Tables**
 234. **Figures**
 235. **Supplementary Materials**
 236. **Correspondence**
 237. **Conflict of Interest**
 238. **Acknowledgments**
 239. **References**
 240. **Appendix**
 241. **Tables**
 242. **Figures**
 243. **Supplementary Materials**
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RULE 54(b) CERTIFICATE

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John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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

AMENDED

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
_____) Water Right 45-13399

2006 MAY 19 AM 11 31

NAME AND ADDRESS: DAVID MARK HOBSON
LISA SUE HOBSON
24 S 700 W
BURLEY, ID 83318

SOURCE: GROUND WATER

QUANTITY: 0.95 CFS
404.00 APY

THE RIGHTS LISTED BELOW ARE LIMITED TO A TOTAL COMBINED DIVERSION
RATE OF 3.76 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION
VOLUME OF 1558 AF. COMBINED RIGHTS NOS.: 45-2621, 45-7261,
45-13399.

PRIORITY DATE: 03/15/1976

THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A
PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED
AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS
BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION
42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR
RIGHT.

POINT OF DIVERSION: T10S R22E S31 SESWNW Within Cassia County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.95 CFS 404.00 APY

PLACE OF USE:	Irrigation	Within Cassia County
	T10S R22E S30	NESW 34.0 NWSE 40.0 SESE 9.0
	S31	NENE 24.0 SWNE 4.5 NENW 41.0
	LOT 2	(SNNW) 30.0
	389.5 Acres Total	SESW 40.0 SWSE 40.0 NWNE 30.0 SENE 26.0 (NWNW) 38.0 SENW 33.0

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 389.5 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 45-2621, 45-7261 & 45-13399
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 101 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

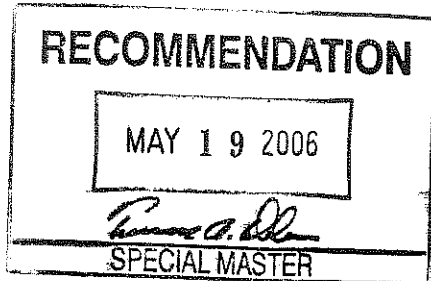
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NOS. 45-2621 &
45-7261 PURSUANT TO SECTION 42-1426, IDAHO CODE.
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.

AMENDED



John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
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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): 45-02621

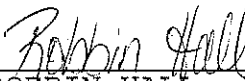
45-07261 45-13399

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 19, 2006, with sufficient first-class postage prepaid to the following:

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

DAVID MARK HOBSON
LISA SUE HOBSON
24 S 700 W
BURLEY, ID 83318
Phone: 208-678-5381



ROBBIN HALL
Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
05/19/06

DISTRICT COURT-SRBA
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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

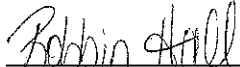
Water Right(s): 45-02621
45-07261 45-13399

On May 19, 2006, 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 19, 2006.



ROBBIN HALL
Deputy Clerk