

2008 JUN 11 PM 2:41  
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 ) Subcases:  
Case No. 39576 ) 01-4014 [01-10558, 01-10559 & 01-10560]  
 ) and  
 ) 01-10242 [01-10561, 01-10562 & 01-10563]  
 ) (Jensen, Wadsworth & Futures of Idaho,  
 ) Inc.)  
 )  
 ) SPECIAL MASTER REPORT

Statement of Facts

The Director of the Idaho Department of Water Resources filed his *Director's Report, Irrigation & Other Uses, IDWR Lower Basin 01* on May 15, 2006. The Director recommended 01-4014 to Jay Wadsworth for 1.37 cfs from the Snake River to irrigate 86 acres in Bingham County from April 1 to October 31 with a priority date of April 1, 1965, based on beneficial use. The Director also recommended 01-10242 to Mr. Wadsworth for .86 cfs from the Snake River for year-'round stockwater use and to irrigate the same 86 acres with a priority date of April 1, 1917, based on beneficial use.

The United States of America, Department of Interior, Bureau of Land Management filed *Objections* on October 6, 2006, objecting to place of use. IDWR filed *Notices of Completed Administrative Proceedings* on April 28, 2008, splitting 01-4014 and 01-10242 as follows:

**01-4014**

01-10558 Chris & Stephanie Jensen, 585 West, 75 South, Blackfoot, Idaho, 83221  
01-10559 Kip and Deann Wadsworth, 451 W. Highway 39, Blackfoot, Idaho, 83221  
01-10560 Futures of Idaho, Inc., 430 W. Highway 26, Blackfoot, Idaho, 83221.

**01-10242**

01-10561 Jensens

01-10562 Wadsworths

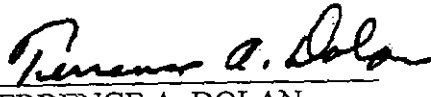
01-10563 Futures of Idaho, Inc.

The United States filed a *Notice of Voluntary Dismissal of Objections* on June 3, 2008, based on the *NCAP's* and on June 11, 2008, the Special Master entered an *Order Dismissing Objections*.

#### Conclusions of Law

1. The Jensens, the Wadsworths and Futures of Idaho, Inc., are entitled to partial decrees adjudicating water rights as described in the *NCAP's* and the attached *Special Master Recommendations for Water Rights 01-10558, 01-10559, 01-10560, 01-10561, 01-10562 and 01-10563*.
2. The claimants are **not** entitled to water rights for claims 01-4014 and 01-10242 because the claims were split.

DATED June 11, 2008.

  
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 )  
 ) PARTIAL DECREE PURSUANT TO  
 ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
 )  
 ) Water Right 01-10558

NAME AND ADDRESS: CHRIS L JENSEN  
STEPHANIE JENSEN  
585 W 75 S  
BLACKFOOT, ID 83221

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.08 CFS

PRIORITY DATE: 04/01/1965

POINT OF DIVERSION: T02S R35E S32 SESE Within Bingham County  
T03S R35E S05 LOT 8 (NENW )

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|----------------------------|----------------|----------------|----------|
|                            | Irrigation     | 04-01 TO 10-31 | 0.08 CFS |

PLACE OF USE: Irrigation Within Bingham County  
T03S R35E S05 SWNW 3.9  
3.9 Acres Total

Right Nos. 1-10558 and 1-10561 are limited to the irrigation of a combined total of 3.9 acres in a single irrigation season. This right is limited to the irrigation of 2.4 acres within the place of use described above in a single irrigation season.

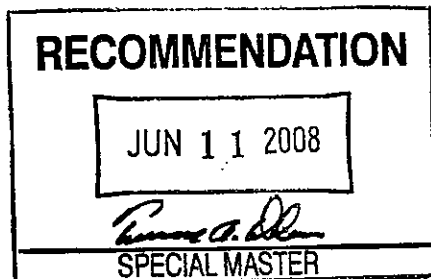
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

John M. Melanson  
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

In Re SRBA )  
 ) PARTIAL DECREE PURSUANT TO  
 ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
 )  
 ) Water Right 01-10559

NAME AND ADDRESS: DEANN WADSWORTH  
KIP WADSWORTH  
451 W HWY 39  
BLACKFOOT, ID 83221

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.04 CFS

PRIORITY DATE: 04/01/1965

POINT OF DIVERSION: T02S R35E S32 SESE Within Bingham County  
T03S R35E S05 LOT 8 (NENW )

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Irrigation     | 04-01 TO 10-31 | 0.04 CFS |

PLACE OF USE: Irrigation Within Bingham County  
T03S R35E S05 LOT 8 (NENW) 2.2  
2.2 Acres Total

Right Nos. 1-10559 and 1-10562 are limited to the irrigation of a  
combined total of 2.2 acres in a single irrigation season.  
This right is limited to the irrigation of 1.3 acres within the  
place of use described above in a single irrigation season.

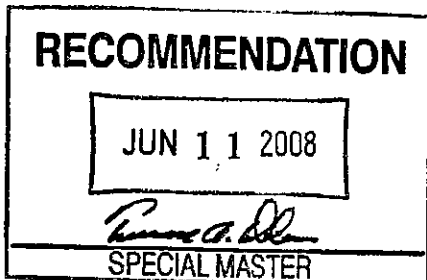
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

John M. Melanson  
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

In Re SRBA )  
                  ) PARTIAL DECREE PURSUANT TO  
                  ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
                  ) Water Right 01-10560

NAME AND ADDRESS: FUTURES OF IDAHO INC  
430 W HWY 26  
BLACKFOOT, ID 83221

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1.56 CFS

PRIORITY DATE: 04/01/1965

POINT OF DIVERSION: T02S R35E S32 SESE Within Bingham County  
T03S R35E S05 LOT 8 (NENW )

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|----------------------------|----------------|----------------|----------|
|                            | Irrigation     | 04-01 TO 10-31 | 1.56 CFS |

PLACE OF USE: Irrigation Within Bingham County

|                     |             |           |             |
|---------------------|-------------|-----------|-------------|
| T03S R35E S05 LOT 8 | (NENW) 3.1  | S05 LOT 8 | (S05) 4.5   |
| LOT 7               | (SESW) 27.0 | LOT 6     | (SESW) 23.0 |
|                     | NWSW 14.0   | LOT 5     | (SWSW) 3.5  |
| LOT 4               | (SESW) 2.3  |           |             |
| 77.4 Acres Total    |             |           |             |

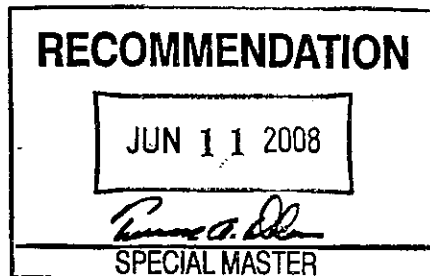
Right Nos. 1-10560 and 1-10563 are limited to the irrigation of a combined total of 77.4 acres in a single irrigation season. This right is limited to the irrigation of 46.8 acres within the place of use described above in a single irrigation season.

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.



John M. Melanson  
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

In Re SRBA )  
Case No. 39576 )  
PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 01-10561

NAME AND ADDRESS: CHRIS L JENSEN  
STEPHANIE JENSEN  
585 W 75 S  
BLACKFOOT, ID 83221

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.05 CFS

PRIORITY DATE: 04/01/1917

POINT OF DIVERSION: T02S R35E S32 SESE Within Bingham County  
T03S R35E S05 LOT 8 (NENW )

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Irrigation     | 04-01 TO 10-31 | 0.05 CFS |

PLACE OF USE: Irrigation Within Bingham County  
T03S R35E S05 SWNW 3.9  
3.9 Acres Total

This right is limited to the irrigation of 1.5 acres within the  
place of use described above in a single irrigation season.  
Right Nos. 1-10558 and 1-10561 are limited to the irrigation of a  
combined total of 3.9 acres in a single irrigation season.

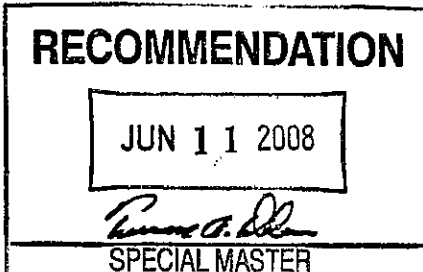
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

John M. Melanson  
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

In Re SRBA )  
Case No. 39576 )  
PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 01-10562

NAME AND ADDRESS: DEANN WADSWORTH  
KIP WADSWORTH  
451 W HWY 39  
BLACKFOOT, ID 83221

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.03 CFS

PRIORITY DATE: 04/01/1917

POINT OF DIVERSION: T02S R35E S32 SESE Within Bingham County  
T03S R35E S05 LOT 8 (NENW )

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Irrigation     | 04-01 TO 10-31 | 0.03 CFS |

PLACE OF USE: Irrigation Within Bingham County  
T03S R35E S05 LOT 8 (NENW) 2.2  
2.2 Acres Total

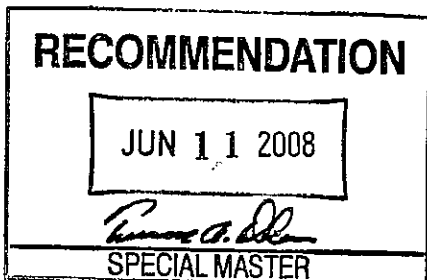
This right is limited to the irrigation of 0.9 acres within the  
place of use described above in a single irrigation season.  
Right Nos. 1-10559 and 1-10562 are limited to the irrigation of a  
combined total of 2.2 acres in a single irrigation season.

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.



John M. Melanson  
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

In Re SRBA )  
Case No. 39576 )  
PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 01-10563

NAME AND ADDRESS: FUTURES OF IDAHO INC  
430 W HWY 26  
BLACKFOOT, ID 83221

SOURCE: SNAKE RIVER TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1.01 CFS

The quantity of water under this right for stockwater use shall  
not exceed 13,000 gallons per day.

PRIORITY DATE: 04/01/1917

POINT OF DIVERSION: T02S R35E S32 SESE Within Bingham County  
T03S R35E S05 LOT 8 (NENW )

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Irrigation     | 04-01 TO 10-31 | 1.01 CFS |
|                               | Stockwater     | 01-01 TO 12-31 | 0.02 CFS |

PLACE OF USE: Irrigation Within Bingham County  
T03S R35E S05 LOT 8 (NENW) 3.1 SWNW 4.5  
LOT 7 (SENW) 27.0 LOT 6 (NESW) 23.0  
NWSW 14.0 LOT 5 (SWSW) 3.5  
LOT 4 (SESW) 2.3  
77.4 Acres Total  
Stockwater Within Bingham County  
Same as Irrigation

This right is limited to the irrigation of 30.6 acres within the  
place of use described above in a single irrigation season.  
Right Nos. 1-10560 and 1-10563 are limited to the irrigation of a  
combined total of 77.4 acres in a single irrigation season.

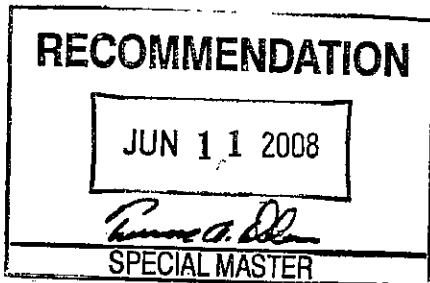
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right for  
stockwater use 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.



---

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

2008 JUN 11 PM 2:41

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): 01-04014

01-10242 01-10558 01-10559  
01-10560 01-10561 01-10562  
01-10563

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, 2008, with sufficient first-class postage prepaid to  
the following:

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

FUTURES OF IDAHO INC  
FUTURES OF IDAHO INC.  
430 W HWY 26  
BLACKFOOT, ID 83221

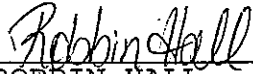
DEANN WADSWORTH  
KIP WADSWORTH  
451 W HWY 39  
BLACKFOOT, ID 83221

JAY O WADSWORTH  
455 W HWY 39  
BLACKFOOT, ID 83221  
Phone: 208-785-0875

CERTIFICATE OF MAILING

PAGE 1  
06/11/08

CHRIS L JENSEN  
STEPHANIE JENSEN  
585 W 75 S  
BLACKFOOT, ID 83221

  
\_\_\_\_\_  
ROBBIN HALL  
Deputy Clerk

2008 JUN 11 PM 2:41

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 )  
\_\_\_\_\_ )

NOTICE OF ISSUANCE OF  
SPECIAL MASTER'S  
RECOMMENDATION

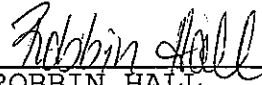
Water Right(s): 01-04014  
01-10242 01-10558 01-10559  
01-10560 01-10561 01-10562  
01-10563

On June 11, 2008, 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 June 11, 2008.

  
\_\_\_\_\_  
ROBBIN HALL  
Deputy Clerk