

RECEIVED

FEB 20 2009

DEPARTMENT OF
WATER RESOURCES

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

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

FEB 18 2009

By

Clerk

Clerk

In Re SRBA

Subcases: 47-17473 & 47-17474

Case No. 39576

ORDER GRANTING MOTIONS TO FILE
LATE NOTICES OF CLAIM

On November 28, 2008, Lela Masters filed a *Motion to File Late Notice of Claim* for each of the above-captioned water rights. Hearing was held on the *Motions* on February 17, 2009. These *Motions* complied with all procedural requirements under *SRBA Administrative Order 1*, and no objections were made to these late Notices of Claim.

THEREFORE, IT IS ORDERED, that the *Motions to File a Late Notice of Claim* for each of the above-captioned water rights are **granted**.

The original Notices of Claim, as well as any attached filing fees, and a copy of this *Order* will be forwarded to the Idaho Department of Water Resources for further action. Following investigation by the Idaho Department of Water Resources, recommendation for the claims will be reported in the next *Late Claims Director's Report* which is issued on an annual basis. This modifies the provisions of *SRBA Administrative Order 1* 4d(2)(h).

IT IS SO ORDERED.

Dated February 18, 2009.


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING
MOTIONS TO FILE LATE NOTICE OF CLAIM was mailed on February
18, 2009, with sufficient first-class postage to the following:

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

LELA MASTERS
301 E MAIN
BUHL, ID 83316

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line.

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 47-17473
Date Received: 3/27/2008
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
FEB 20 2009
DEPARTMENT OF
WATER RESOURCES

1. Name of Claimant(s)

LELA ROBERTSON MASTERS Phone: (208) 543-9955
301 MAIN ST
BUHL ID USA 83316

2. Date of Priority: 08/26/1935

3. Source: WASTE WATER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
09S	14E	8	NE NW SW	TWIN FALLS	

5. Description of diverting works:

Check structure to pipe to bubble structure then underground to structure on SW corner to gated pipe for surface irrigation.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.8	

7. Total Quantity Appropriated is:
0.8 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
09S	14E	8	NE NW	IRRIGATION	3.4
			SE NW	IRRIGATION	37

Section Acres 40.4

Total Acres 40.4

11. Place of use in counties: TWIN FALLS

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

Source also includes spill water which is water the canal company uses to push water through the system ensuring the water users at the end of the ditch receive their water.

15. Basis of Claim: Beneficial Use

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Lela R. Masters 2 Date: 1/28/2009

Date: _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

RECEIVED

FEB 20 2009

DEPARTMENT OF
WATER RESOURCES

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

January 21, 2009

LELA ROBERTSON MASTERS
301 MAIN ST
BUHL ID 83316

RE: Motion to file late Notice of Claim in the Snake River Basin Adjudication (SRBA)
SRBA claim numbers 47-17473 & 47-17474

Dear Ms. Masters,

I spoke with your son, Joe Bill Robertson this morning about a letter sent to you requesting additional filing fees of \$140.00 for late claim 47-17473. After speaking with your son and the SRBA court, it was determined that the fees for 47-17473 have been paid and the letter was sent in error. No additional fees are required. I apologize for the error.

However, in my conversation, Mr. Robertson, it was discovered that there neither claim 47-17473 or claim 47-17474 claimed a source. In order for the claim to be complete, it must list a source.

For your convenience, I am sending you updated claims that list the source of water as is my understanding from my conversation with Mr. Robertson. I have highlighted the additions in yellow.

Please review the claims and initial any changes you wish to make. When satisfied sign the updated claims and **return it to the SRBA court** with a brief letter explaining that the claims 47-17473 and 47-17474 have been updated to list a source. You can even enclose a copy of this letter with the claims when you send them to the SRBA court.

I am also enclosing an envelope already addressed to the SRBA court.

Please feel free to contact me at 208-590-2690 with any questions.

Respectfully submitted,

Craig L. Saxton
Water Right Supervisor
Adjudication Bureau

Enclosure(s)

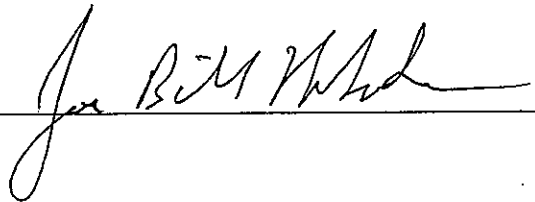
CERTIFICATE OF MAILING

I hereby certify that true and correct copies of the *Amended Notice of Claim to a Water Right Acquired Under State Law* were mailed on 28 JAN 2009, by first-class mail to the following:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment & Natural Resources Div.
550 West Fort Street, MSC 033
Boise, ID 83724



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

2009 NOV 20 PM 1 18

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 47-17423Date Received: 2-20-2009Receipt No: C088042 & C088043Received By: SRP\$122- & \$144-

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) LELA Masters (Robertson Livestock) Phone (208) 543-9955Mailing Address 301 E MAIN Buhl ID ZIP 83316
Street or Box City State2. Date of Priority (Only one (1) per claim) Aug 26 1935
Month Day Year (YYYY)3. Source of water supply (Check one) Ground Water () or Other () (a) _____
which is tributary to (b) _____4. a. Location of Point of Diversion is: Township 9S, Range 14E, Section 8
NE, 1/4 of NW, 1/4 of SW, 1/4 Govt. Lot _____, BM., County of Twin Falls

Additional points of diversion if any: _____

If available, GPS Coordinates _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____, Range _____, Section _____, 1/4 of _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., County of _____

ending point is: Township _____, Range _____, Section _____, 1/4 of _____, 1/4 of _____, 1/4 Govt. Lot _____, BM., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Check structure to pipe to Babble structure then underground to structure on SW corner to gated pipe for surface irrigation

Last Name Masters Ident No. _____

6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD)

(cfs)

(acre feet)

For Irrigation purposes from 3/15 to 11/15 amount .80 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (cfs) and/or (b) 0.80 (acre feet)

8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) _____

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

Twn	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>9S</u>	<u>14E</u>	<u>8</u>					<u>3.4</u>				<u>37</u>	~~37~~							<u>40.4</u>

Total number of acres irrigated 40.4

10. In which county (ies) are lands listed above as place of use located? TF

11. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.

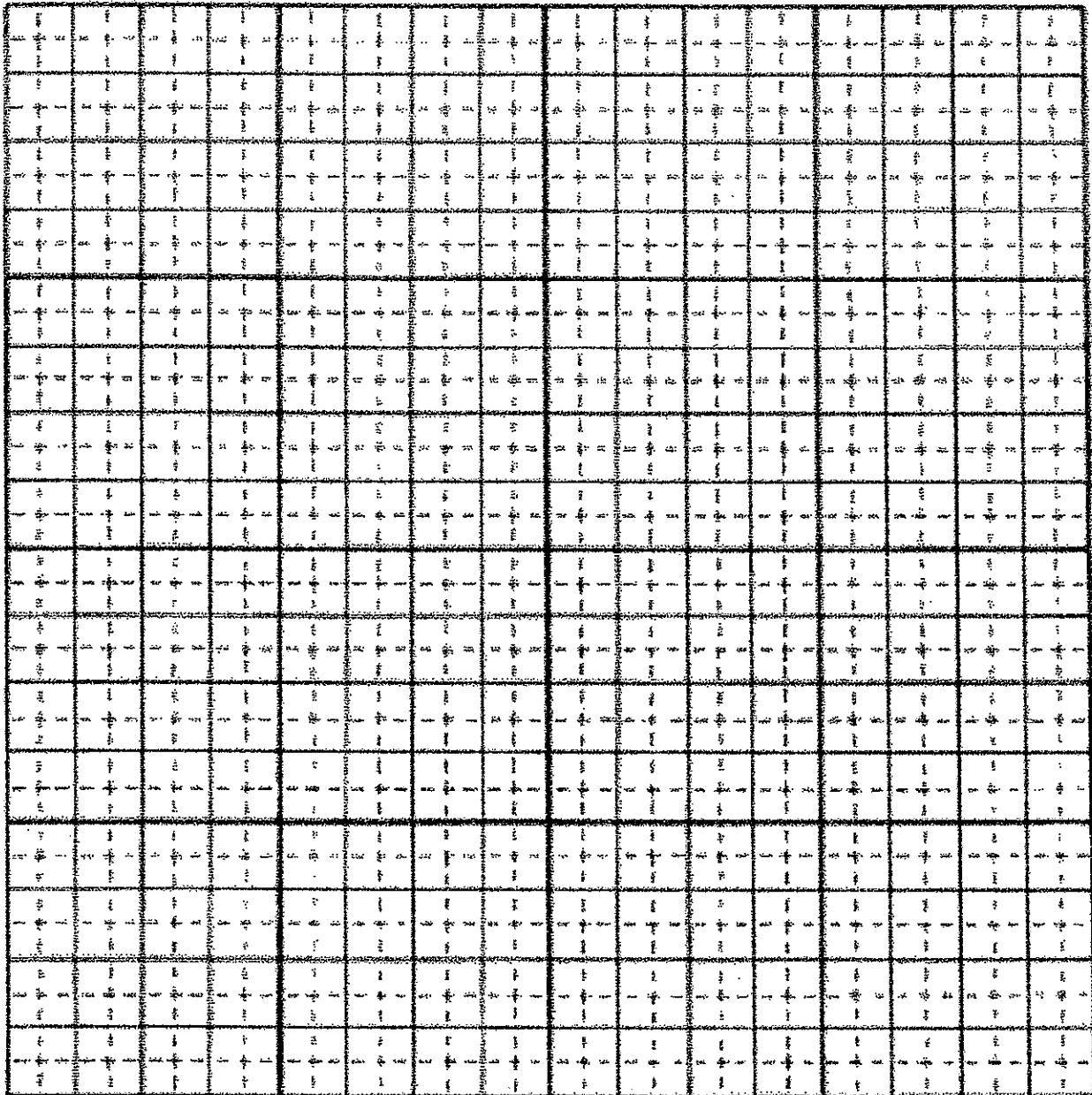
_____ or None (☒)

13. Remarks: _____

Last Name Masters Ident No. _____

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 Inches equals 1 mile



Last Name Master Ident No. _____

14. Basis of Claim (Check One) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____ Decree _____

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number _____

15. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

X Signature of Claimant (s) Lela Martin Date: 28 Nov 08

Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

_____ of _____
Title Organization

that I have signed the foregoing document in the space below as

_____ of _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

Please Print Name

16. Notice of Appearance:

Notice is hereby given that I, _____, will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident No. _____

47-17473



0 175 350 700 1,050 1,400 Feet

Legend

-  b47-pou
-  blaine
-  Township/Range
-  Sections
-  QQ



Water Right Representator
Photo: 1987 or 1988 NAPP
Created By: D.Jones
Date: 3-27-2008

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

Ident. Number 47-17474
Date Received: 3/27/2008
Receipt No:
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

RECEIVED

FEB 20 2009

DEPARTMENT OF
WATER RESOURCES

1. Name of Claimant(s)

LELA ROBERTSON MASTERS Phone: (208)543-9955

301 MAIN ST
BUHL ID USA 83316

2. Date of Priority: 08/26/1935

3. Source: WASTE WATER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
09S	14E	6	SE NE SE	TWIN FALLS	

5. Description of diverting works:

Overspill to diversion structure under Highway 30 to Bubble then to gated pipe.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.43	

7. Total Quantity Appropriated is:
0.43 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
09S	14E	5	SW SW	IRRIGATION	5.7
			SE SW	IRRIGATION	16

Section Acres 21.7
Total Acres 21.7

11. Place of use in counties: TWIN FALLS

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

Source also includes spill water which is water the canal company uses to push water through the system ensuring the water users at the end of the ditch receive their water.

15. Basis of Claim: Beneficial Use

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Lela R. Mastera Date: 1/28/2009

Date: _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

January 21, 2009

LELA ROBERTSON MASTERS
301 MAIN ST
BUHL ID 83316

RE: Motion to file late Notice of Claim in the Snake River Basin Adjudication (SRBA)
SRBA claim numbers 47-17473 & 47-17474

Dear Ms. Masters,

I spoke with your son, Joe Bill Robertson this morning about a letter sent to you requesting additional filing fees of \$140.00 for late claim 47-17473. After speaking with your son and the SRBA court, it was determined that the fees for 47-17473 have been paid and the letter was sent in error. No additional fees are required. I apologize for the error.

However, in my conversation, Mr. Robertson, it was discovered that there neither claim 47-17473 or claim 47-17474 claimed a source. In order for the claim to be complete, it must list a source.

For your convenience, I am sending you updated claims that list the source of water as is my understanding from my conversation with Mr. Robertson. I have highlighted the additions in yellow.

Please review the claims and initial any changes you wish to make. When satisfied sign the updated claims and **return it to the SRBA court** with a brief letter explaining that the claims 47-17473 and 47-17474 have been updated to list a source. You can even enclose a copy of this letter with the claims when you send them to the SRBA court.

I am also enclosing an envelope already addressed to the SRBA court.

Please feel free to contact me at 208-590-2690 with any questions.

Respectfully submitted,

Craig L. Saxton
Water Right Supervisor
Adjudication Bureau

Enclosure(s)

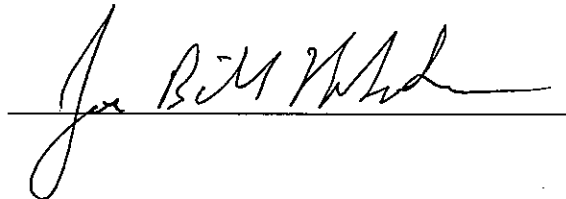
CERTIFICATE OF MAILING

I hereby certify that true and correct copies of the *Amended Notice of Claim to a Water Right Acquired Under State Law* were mailed on 28 JAN 2009, by first-class mail to the following:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment & Natural Resources Div.
550 West Fort Street, MSC 033
Boise, ID 83724



Joe Bill White

RECEIVED

FEB 20 2009

DEPARTMENT OF
WATER RESOURCES

Form No.42-1409 (2)a (Internet)

114

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho
NOV 28 2008
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 THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 42-17474

Date Received: 2-20-2009

Receipt No: C088042 & C688043

Received By: SR2

\$122- & \$144

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Lela Masters (Robertson Livestock) Phone (208) 543-9955
Mailing Address 301 E MAIN Buhl ID ZIP 83316
Street or Box City State
2. Date of Priority (Only one (1) per claim) Aug 26 1935
Month Day Year (YYYY)

3. Source of water supply (Check one) Ground Water () or Other () (a) _____
which is tributary to (b) _____

4. a. Location of Point of Diversion is: Township 9S, Range 14E, Section 6,
SE, 1/4 of NE, 1/4 of SE, 1/4 Govt. Lot _____, BM., County of Twin Falls
Additional points of diversion if any: _____

If available, GPS Coordinates _____

- b. If instream flow, beginning point of claimed instream flow is:

Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4 of _____, 1/4
Govt. Lot _____, BM., County of _____

ending point is: Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4 of
_____, 1/4 Govt. Lot _____, BM., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed
and as enlarged and the depth of each well. OVER SPILL TO DIVERSION STRUCTURE
UNDER HIGHWAY 20 TO BUBBLE THEN TO GATE PIPE

Last Name Masters Ident No. _____

6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD)

(cfs)

(acre feet)

For Irrigation purposes from 3/15 to 11/15 amount 0.43 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.43 (cfs) and/or (b) _____ (acre feet)

8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) _____

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic)

in the corresponding place of use below. See instructions for standard symbols.

Twn	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>9S</u>	<u>14E</u>	<u>5</u>											<u>5.7</u>	<u>16</u>					<u>21.7</u>

Total number of acres irrigated 21.7

10. In which county (ies) are lands listed above as place of use located? _____

11. Do you own the property listed above as place of use? Yes _____ No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.

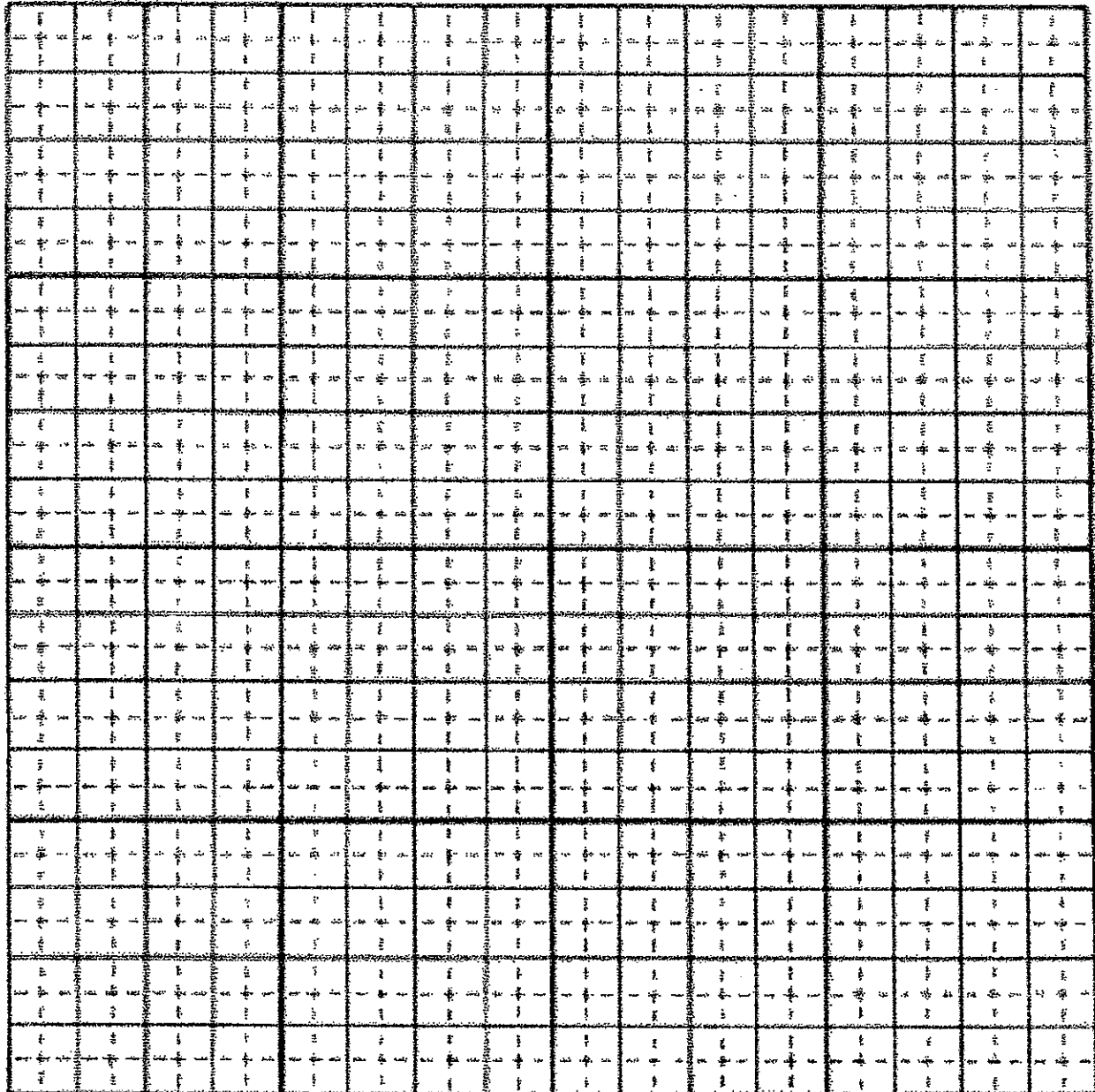
_____ or None ()

13. Remarks: _____

Last Name _____ Ident No. _____

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 Inches equals 1 mile



Last Name MASTERS Ident No. _____

14. Basis of Claim (Check One) Beneficial Use ☒ Posted Notice ☐ License ☐ Permit ☐ Decree ☐

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number _____

15. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do ☐ do not ☐ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Lela Mastere Date: 26 Nov 08

Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

_____ of _____
Title Organization

that I have signed the foregoing document in the space below as

_____ of _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

Please Print Name

16. Notice of Appearance:

Notice is hereby given that I, _____, will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

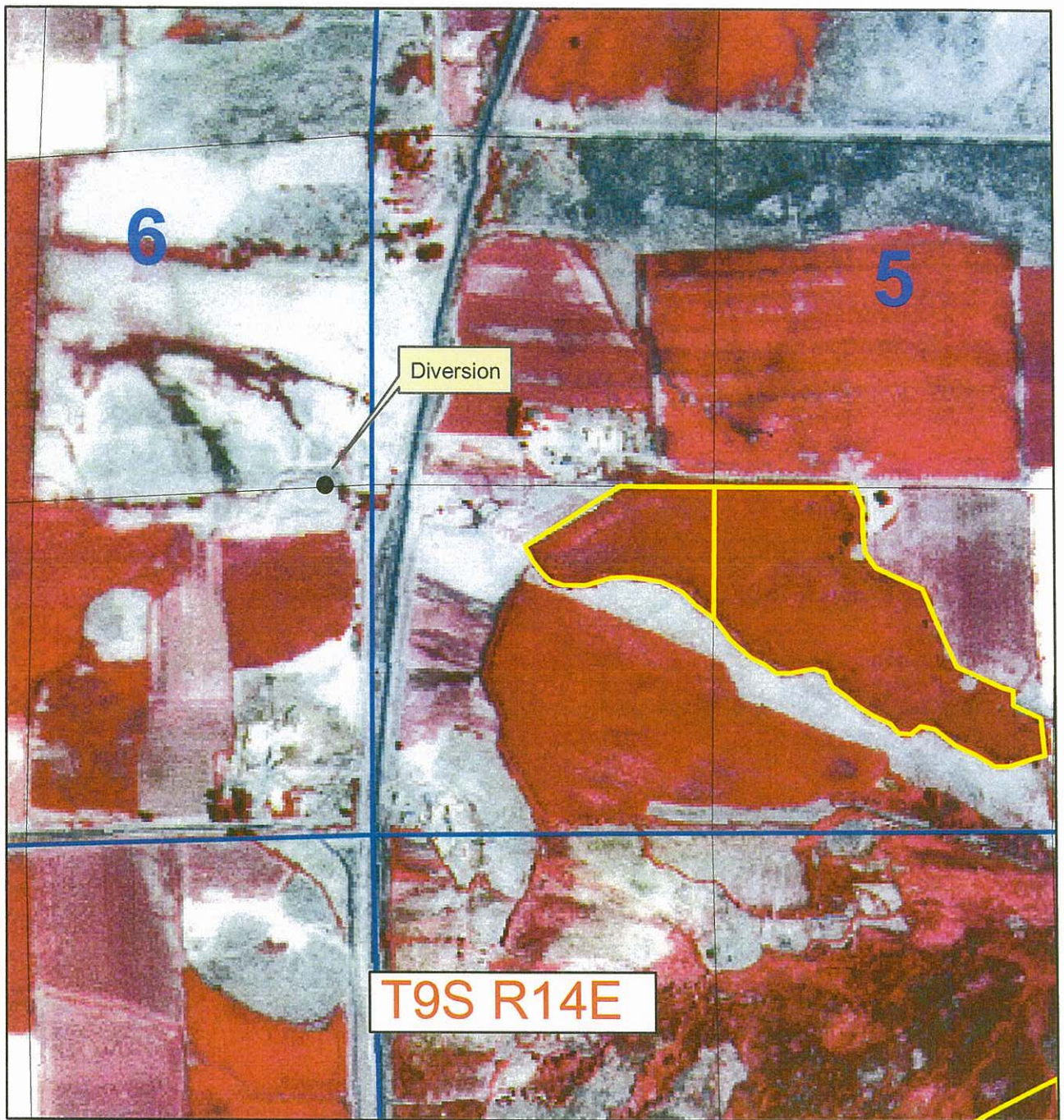
Signature _____

Address _____

Date _____

Last Name _____ Ident No. _____

47-17474



0 175 350 700 1,050 1,400 Feet

Legend

-  b47-pou
-  blaine
-  Township/Range
-  Sections
-  QQ



Water Right Representator
Photo: 1987 or 1988 NAPP
Created By: D.Jones
Date: 3-27-2008