

RECEIVED

AUG 28 1996

Department of Water Resources
Adjudication Bureau

RECEIVED

AUG 27 1996

OFFICE OF THE
ATTORNEY GENERAL

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
AUG 23 1996	
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 SRBA	)	Claim 36-15240
	)	
Case No. 39576	)	ORDER AMENDING LATE CLAIM
	)	ORDER and REFERRING CLAIM TO
	)	SPECIAL MASTER

On October 7, 1993, Ronald H. Adams filed a *Standard Form 4, Motion to File a Late Notice of Claim*. Mr. Adams stated that he wanted to file a late claim for water right 36-15240. However, in the Notice of Claim attached to the Motion, Mr. Adams stated that the basis for his claim was water right number 36-07092A.

On December 13, 1993, IDWR filed its *Reply to Motion to File Late Claim to Right No. 36-15240*. IDWR did not oppose the *Motion* and said it would investigate and report the claim. There was no mention that 36-15240 was already claimed by Norwood Subdivision/Ruby Springs Water Company and reported in the Director's Report.

The discrepancies were not apparent when the court entered its *Order Granting Motion to File Late Claim*, dated January 18, 1994, allowing Mr. Adams to file his late claim in Subcase 36-15240. To date, IDWR has not filed a report concerning Mr. Adams' claim.

The court is now aware that Mr. Adams' "claim" in 36-15240 is more in the nature of an objection to the Director's Report. While claiming some interest in 36-15240, he is more accurately objecting to how the Director reported certain elements of 36-15240, including ownership. In addition, Mr. Adams is an objector in Subcase 36-07092A.¹

¹ Subcase 36-07092A is set for trial before Special Master Dolan on October 16, 1996.

IN V. 1058
2000-10-10
In order to clear up the record, to correctly align the interests of the parties, and to move the subcase toward resolution, IT IS ORDERED that:

1. The court's *Order Granting Motion to File Late Claim* in Subcase 36-15240 is amended to be an **Order Granting Motion to File Late Objection**. Mr. Adams shall hereafter be an objector who claims some interest in the water right; and
2. Claim 36-15240, being the subject of a post-Director's Report pleading, is referred to Special Master Terrence A. Dolan.

DATED August 23, 1996.


DANIEL C. HURLBUTT, JR.
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the **ORDER AMENDING LATE CLAIM ORDER and REFERRING CLAIM TO SPECIAL MASTER** was mailed on August 23, 1996, with sufficient first-class postage to the following: ²⁶

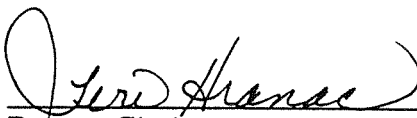
Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, ID 83711-4449

Norwood Subdivision/Ruby Springs
2638 Access Road North
Hagerman, ID 83332

Ronald Adams
3028 Chisholm Drive
Hagerman, ID 83332

The United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724

Director of IDWR
P.O. Box 83720
Boise, ID 83720-0098


Deputy Clerk