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Department of Water Resources

1996 AUG 27 AM 8:24

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

) Subcase 36-00003G

)
) ORDER REQUIRING HUBBLE
) ANALYSIS AND REPORT
)
)

Claimants Cleave and Betty Lloyd wrote to the Court on August 23, 1996, agreeing (1) that further evidence on the quantity element of their claim is necessary; (2) that they will cooperate with IDWR in preparation of a Hubble analysis of their property; and (3) that IDWR will submit a written report of its analysis to the Court.

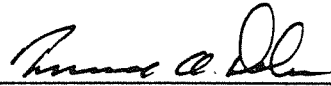
The Court is convinced that a Hubble analysis may better establish a uniform duty of water among water users along the Buckeye Ditch and will provide a more complete record of such water use for later review.

Therefore, IT IS ORDERED that:

1. The Lloyds shall contact Jeff Peppersack, with IDWR (1-800-451-4129), within ten (10) days of the date of this Order to arrange for an on-site inspection of the Lloyds' property at the Lloyds' convenience. One or both of the Lloyds shall be present during the inspection, which is expected to require no more than 1 hour; and
2. IDWR shall report to the Court within twenty (20) days of the on-site inspection the results of its Hubble analysis concerning the duty of water for the Lloyds' property. The Lloyds

shall then have ten (10) days from the date the report is filed with the Court to respond in writing. After that date, the Court will consider the taking of evidence closed and the matter will be reported based on the record then before the Court.

DATED August 27, 1996.



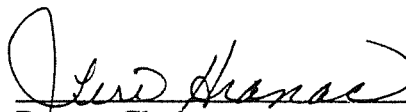
TERRENCE A. DOLAN
Special Master, Reporting Area 3
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER REQUIRING HUBBLE ANALYSIS AND REPORT was mailed on August 27, 1996, with sufficient first-class postage to the following:

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

Cleave & Betty Lloyd
Route 1, Box 14
Hagerman, ID 83332



Deputy Clerk

Hagerman, Idaho
August 23, 1996

#214

Dear Sir;

I'm reply to your letter from court
August 20, 1996

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DISTRICT COURT SIRBA
TWIN FALLS CO, IDAHO
FILED *CH*

I do not understand what a Kibble analysis is but it is alright with us for the Dept. to do so as I can see we have nothing to lose by doing so, because as I review the July report with what I understood I or we would get nothing at all.

Knowing by experience the ditch loss, the amount recommended for use for us would be entirely consumed in loss by the time the water reached our property.

As of this date I cannot deliver water to the end of the ditches without depriving someone of their shares on at least three systems buckeye Big Bend and Brailsford. On August 21, 1996 the water never reached Gustafson at all. I have seen this happen repeatedly in 100° temperature for the last 30 years.

The report I received from I.D.W.R. was entirely twisted - they must have closed their eyes and ears on every thing on our behalf.

Sincerely
Cleave C. Lloyd
Betty Lloyd