

RECEIVED

MAY 08 2002

Department of Water Resources
Southern Region

2002 APR 29 PM 3: 59

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

)
)
)
)
ORDER OF PARTIAL DECREE

For Water Right 36-15226

On March 28, 2002, an *Amended Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Amended Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Amended Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 36-15226 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED 4-29-02



ROGER S. BURDICK
Presiding Judge
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 36-15226

2002 APR 29 PM 3: 59

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: DAVID C MAY
DEBRA J. MAY
124 S 1350 W
PAUL, ID 83347

SOURCE: GROUNDWATER

QUANTITY: 0.36 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-02322 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 4.04 CFS AND A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1080 AF.

PRIORITY DATE: 06/15/1973

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: T08S R21E S23 NENWNW Within Jerome County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.36 CFS

PLACE OF USE:	Irrigation	Within Jerome County
	T08S R21E S14	SWSW 30.0
	S15	NESE 28.0
		SWSE 40.0
	S22	SESE 40.0
	S23	NWNE 40.0
	288.0 Acres Total	

USE OF THIS RIGHT WITH RIGHT NO. 36-02322 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 288 ACRES IN A SINGLE
IRRIGATION SEASON.

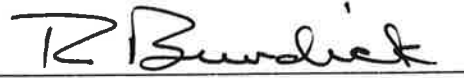
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 36-02322
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.

A handwritten signature in black ink, appearing to read "R Burdick", is written over a horizontal line.

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

2002 APR 29 PM 02:00
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)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s): 36-15226

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 36-15226 was mailed
on April 29, 2002, with sufficient first-class postage prepaid
to the following:

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

STATE OF IDAHO
Represented by:
CLIVE STRONG
NATURAL RESOURCES
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720-0010
Phone: 208-334-2400

USDI BLM
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

CLIFTON A. MAY
ROUTE 1, BOX 1456
HEYBURN, ID 83336

DAVID C MAY
DEBRA J. MAY
124 S 1350 W
PAUL, ID 83347

ROBBIN GLATZ
Chief Deputy Clerk

STATE OF IDAHO
District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

 **RT. #** _____
Car. Init. _____
Date _____

☒ **Not Deliverable As Addressed**
Unable To Forward

☐ **Insufficient Address**

☐ **Moved, Left No Address**

☐ **Unclaimed** ☐ **Refused**

☐ **Attempted-Not Known**

☐ **No Such Street** ☐ **Number**

☐ **Vacant** ☐ **Illegible**

☐ **No Mail Receptacle**

☐ **Box Closed-No Order**

☐ **Returned For Better Address**

☐ **Postage Due** _____





State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

July 22, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DEBBIE MAY
124 S 1350 W
PAUL ID 83347

RE: Update on SRBA Claim SF5 & Change of Ownership

Dear Mr. & Mrs. May,

Enclosed please find the form to Change Ownership as you requested. I think we should continue to proceed with the change as we discussed earlier this day.

You were waiting on the SF5 for the right 36-15226. I checked with our attorney in Boise and he reminded me of the purpose of the stay; the Supreme Court has ordered the SRBA Court to add specific dates in the Season of Use on the partial decree. Until the SRBA Court resolves this issue all pending cases have been put on hold (Stayed).

If you have any further questions please feel free to contact me at our office.

Sincerely,

STEVE CLELLAND
Sr. Water Resource Agent

ENC:

36-15226

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED
APR 29 1999
Department of Water Resources
Southern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: # 36-02322, 36-02323, 36-02570,
Adjudication Claim No(s).: 36-15226, 36-11441

2. The following REQUIRED information must be submitted with this form:
 - ✓ A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - ✓ B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.) *map & deed match 1/24/99 SCC*
 - OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant CLIFTON A MAY Family Trust
1511 Evergreen Dr. Twin Falls Ida.

4. New Owner/Claimant(s) David C May + Debra J May
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
New Mailing Address 1245 1350 W.
City, State and ZIP Code PAUL, Idaho 83347
New Telephone Number (208) 438-8730

5. Date you acquired the property _____

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

 Number of acres you irrigate _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) *D May*

 (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

7/21/99

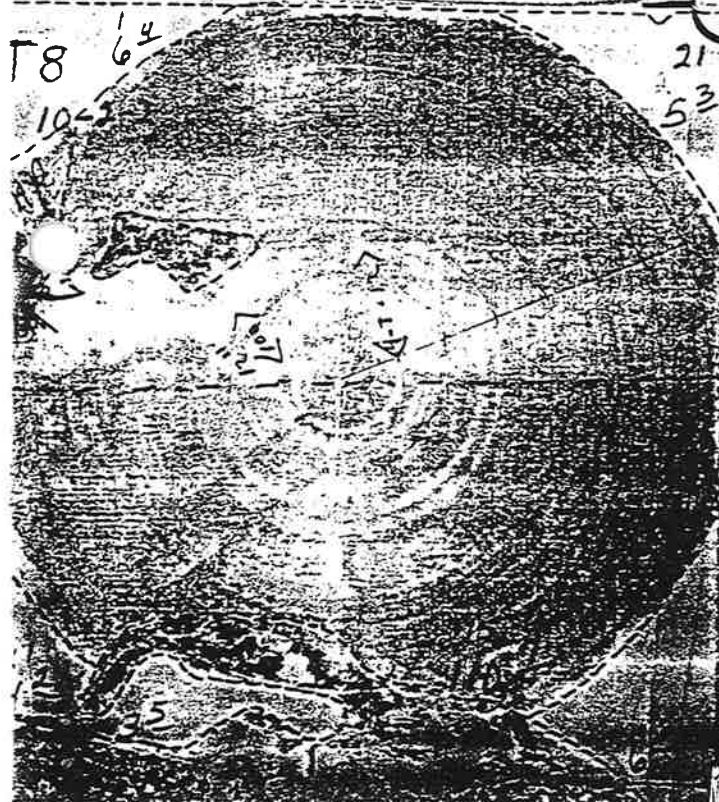
Talked to the May's regarding the discrepancy of the SE $\frac{1}{4}$ of Section 13 not mentioned in "Exhibit A." They said Title Co. had made an error which they had recently discovered through their tax records. Their attorney is working on it and they will send an amended Exhibit A when completed. They did buy entire place — *[initials]*

36-02322

36-15226

* These two are done, but "P" owners (remove "P" → C when corrected exhibit A received)

640 irrigated



21
53

15

22

West Field
92.2

11
34

13

BILL OF SALE

ec-837

KNOW ALL MEN BY THESE PRESENTS, That on this 12TH day of May, 1998, DAVID C. MAY and RONALD C. MAY, Successor Trustees of The Clifton A. May Family Trust of Twin Falls, County of Twin Falls, State of Idaho, the party of the first part, for and in consideration of the sum of TEN DOLLARS, and other valuable considerations of the United States of America, (\$10.00) to be in hand paid by DAVID C. MAY and DEBRA J. MAY, husband and wife of Paul, County of Minidoka, State of Idaho, the party of the second part, the receipt whereof is hereby acknowledged, do by these presents Grant, Bargain, Sell and convey unto the said party of the second part, their executors, administrators and assigns:

See attached Exhibit "A"

TO HAVE AND TO HOLD The same to the said party of the second part, their executors, administrators and assigns, forever; and the said party of the first part does for its heirs, executors and administrators, covenant and agree to and with the said party of the second part, executors, administrators or assigns to WARRANT and DEFEND the sale of said property, goods and chattels hereby made unto the said party of the second part, their executors, administrators and assigns, against all and every person and persons whomsoever, lawfully claiming or to claim the same.

IN WITNESS WHEREOF, the said party of the first part hereunto set its hand and seal the day and year first above written.

THE CLIFTON A. MAY FAMILY TRUST

By: *David C. May*
David C. May, Trustee

By: *Ronald C. May*
Ronald C. May, Trustee

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

On this 12th day of March, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared DAVID C. MAY and RONALD C. MAY, known or identified to me to be the persons whose names are subscribed to the within instrument as Successor Trustees of the Clifton A. May Family Trust, and acknowledged to me that they executed the same as such Trustee.

Larry Roberts
Notary Public
Residing at: Burley, Idaho
My Commission expires: 6-30-03

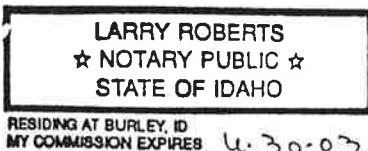


Exhibit A

TOWNSHIP 8 SOUTH, RANGE 21 EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 14: $SW\frac{1}{4}SW\frac{1}{4}$

Section 15: $S\frac{1}{2}SW\frac{1}{4}$

Section 21: $NE\frac{1}{4}$

Section 22: $N\frac{1}{2}NE\frac{1}{4}$, $N\frac{1}{2}NW\frac{1}{4}$, $SW\frac{1}{4}NW\frac{1}{4}$, $W\frac{1}{2}SW\frac{1}{4}$

Section 23: $NW\frac{1}{4}NW\frac{1}{4}$



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

April 24, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DAVE & DEBBIE MAY
124 S 1350 W
PAUL ID 83347

RE: CHANGE OF OWNERSHIP FORM

RECEIVED

APR 29 1999

DEAR MR. & MRS. MAY,

Enclosed you will find the ownership form ^{Department of Water Resources} necessary to change the current owner listing for a water right with IDWR.

I discussed this with our attorney and he suggested waiting to file this document until you have received your Partial Decree for the water rights you now own, 36-02322 & 36-15226. They are usually issued within 90 days of the SF5 filing. This will help to avoid confusion during the final processing of the rights.

Feel free to contact me at our office if you have further questions.

Sincerely,

STEVE CLELLAND
Sr. Water Resource Agent

ENC:

If we need to do something different please let us know-

Thanks

D May

AJ0749NP
No. R36-15226

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 07/22/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
P	DAVID C MAY	06/15/1973	IRRIGATION	03-15 11-15	0.360 CFS	
P	DEBRA J MAY					
	124 S 1350 W					
	PAUL ID 83347					
	(208) 438-8730					
				TOTAL DIVERSION:	0.360 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T08S R21E S23 NENWNW

JEROME County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
T	R	S	NENE Lt Ac	NWNE Lt Ac	SWNE Lt Ac	SENE Lt Ac	NENW Lt Ac	NWNW Lt Ac	SWNW Lt Ac	SENW Lt Ac	NESW Lt Ac	NWSW Lt Ac	SWSW Lt Ac	SESW Lt Ac	NESE Lt Ac	NWSE Lt Ac	SWSE Lt Ac	SESE Lt Ac	SUM
08S	21E	14	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
08S	21E	15	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:
08S	21E	22	:	40	40	:	:	:	:	:	:	:	:	:	28	30	40	40	138.0
08S	21E	23	:	:	:	:	:	40	:	:	:	:	:	:	:	:	:	:	80.0
			:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	40.0
			:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	TOTAL ACRES 288.0

POU County: JEROME

Other Rights: 36-02322

Conditions of Approval:

- C11 - 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.

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NO. 36-02322 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.04 CFS AND A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 1080 AF.

POU1 USE OF THIS RIGHT WITH RIGHT NO. 36-02322 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 288 ACRES IN A SINGLE
IRRIGATION SEASON.

GEN THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT
NO. 36-02322 PURSUANT TO SECTION 42-1426, IDAHO CODE.

EXP RIGHT NO. 36-02322 IS ALSO DIVERTED THROUGH THE POINT OF
DIVERSION DESCRIBED ABOVE.
THIS RIGHT IS FOR AN ENLARGEMENT OF 18 ACRES WITHIN THE

AJ0749NP
No. R36-15226

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 07/22/99
PAGE: 2

Remarks: PLACE OF USE DESCRIBED FOR THIS RIGHT.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag: E

Comments: Date: 09/18/1991 User-ID: MERRITT Subject: COPIED FROM REMARKS
THIS LAND IS FARMED UNDER A BLM LEASE.
THIS RIGHT IS AN EXPANSION OF RIGHT NO. 36-02322 PURSUANT TO
IDAHO CODE 42-1416(2).

Date: 09/19/1991 User-ID: MERRITT Subject: OWNERSHIP OF LAND
A PORTION OF THE LAND RECOMMENDED IS OWNED BY THE BLM AND LEASED
BY AND FARMED BY THE CLAIMANT. SEE CLAIM A36-15226 FOR THE
DESCRIPTION OF THESE LANDS.

Date: 09/09/1997 User-ID: ENORQUES Subject: REFORMAT
REFORMATTED TO CURRENT STANDARDS.

Date: 09/17/1997 User-ID: DSHAFF Subject: NAME CHANGE
OWNER CHANGE BY ORDER OF COURT. SEE COMMENTS IN 36-02322.

Date: 07/22/1999 User-ID: JROBERTS Subject: OWNERSHIP CHANGE
OWNERSHIP CHANGE FROM CLIFTON A MAY FAMILY TRUST TO DAVID & DEBRA
MAY. COPY OF BILL OF SALE SUBMITTED WITH FORM. 7/22/99 jr
(MADE THEM "P" OWNER TEMPORARILY BECAUSE THERE WAS A PROBLEM WITH
EXHIBIT A AND IT DID NOT INCLUDE THE SE 1/4 OF SECTION 15. THEY
ARE WORKING ON RESOLVING THE OMISSION.)

Audit: 07/22/99 JROBERTS

AJ5809NP
No. R36-15226

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 07/21/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CLIFTON A MAY FAMILY TRUST 1511 EVERGREEN DR TWIN FALLS ID 83301	06/15/1973	IRRIGATION	03-15 11-15	0.360 CFS	
					TOTAL DIVERSION:	0.360 CFS

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T08S R21E S23

NENWNW

JEROME County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE										
				NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM		
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
08S	21E	14	:					:						:											:	30.0
08S	21E	15	:					:						:											:	30.0
08S	21E	22	:	40		40		:						:											:	80.0
08S	21E	23	:					:						:											:	40.0
																							TOTAL ACRES		288.0	

POU County: JEROME

Other Rights: 36-02322

Conditions of Approval:

- C11 - 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
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Remarks: QNT USE OF THIS RIGHT WITH RIGHT NO. 36-02322 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.04 CFS AND A TOTAL COMBINED
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POU1 USE OF THIS RIGHT WITH RIGHT NO. 36-02322 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 288 ACRES IN A SINGLE
IRRIGATION SEASON.

GEN THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT
NO. 36-02322 PURSUANT TO SECTION 42-1426, IDAHO CODE.

EXP RIGHT NO. 36-02322 IS ALSO DIVERTED THROUGH THE POINT OF
DIVERSION DESCRIBED ABOVE.

THIS RIGHT IS FOR AN ENLARGEMENT OF 18 ACRES WITHIN THE
PLACE OF USE DESCRIBED FOR THIS RIGHT.

AJ5809NP
No. R36-15226

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 07/21/99
PAGE: 2

=====

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
--------	-----------------	----------------	-----------------------

Misc:	Water District Number:	Field Inspection Flag:
		Presumption Flag: E

Comments: Date: 09/18/1991 User-ID: MERRITT Subject: COPIED FROM REMARKS
THIS LAND IS FARMED UNDER A BLM LEASE.
THIS RIGHT IS AN EXPANSION OF RIGHT NO. 36-02322 PURSUANT TO
IDAHO CODE 42-1416(2).

Date: 09/19/1991 User-ID: MERRITT Subject: OWNERSHIP OF LAND
A PORTION OF THE LAND RECOMMENDED IS OWNED BY THE BLM AND LEASED
BY AND FARMED BY THE CLAIMANT. SEE CLAIM A36-15226 FOR THE
DESCRIPTION OF THESE LANDS.

Date: 09/09/1997 User-ID: ENORQUES Subject: REFORMAT
REFORMATTED TO CURRENT STANDARDS.

Date: 09/17/1997 User-ID: DSHAFF Subject: NAME CHANGE
OWNER CHANGE BY ORDER OF COURT. SEE COMMENTS IN 36-02322.

Audit: 08/27/97 DSHAFF 08/29/97 C11-PROD 09/09/97 ENORQUES 09/17/97 DSHAFF
12/12/97 FHITCHCO 05/01/98 RBROWN 07/20/99 CWU-DSHA

RECEIVED

MAY 01 1998

Department of Water Resources
Southern Region

RECEIVED

APR 14 1998

Department of Water Resources
Adjudication Bureau

1998 APR 13 AM 8:33

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

) Subcases: 36-15226
)
) ORDER SETTING TRIAL DATE
)

At a Status Conference held on November 13, 1997, the parties represented to the court that a *Standard Form 5* would be filed on or before December 12, 1997. As of this date, a *Standard Form 5* has not been received. Therefore, IT IS ORDERED that a trial is set for the above subcase as follows:

DATE: Tuesday, May 5, 1998 at 1:00 pm

LOCATION: SRBA District Courthouse
253 Third Avenue North
Twin Falls, Idaho

DATED April 13, 1998.


TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

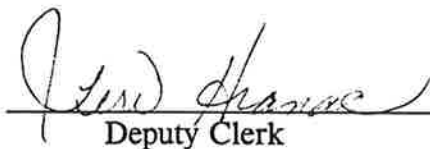
CERTIFICATE OF MAILING

I certify that a true and correct copy of the **ORDER SETTING TRIAL DATE** was mailed April 13, 1998, with sufficient first-class postage prepaid as follows:

Director of IDWR
PO Box 83720
Boise, ID 83720-0098

Clifton A. May Family Trust
1511 Evergreen Drive
Twin Falls, ID 83301-3425

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


Deputy Clerk

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. SEE BELOW

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Steve Clelland

April 23, 1998 1:00pm

NAME: DEBBIE MAY CALLIN RE: PENDING TRIAL & SF5

SHE HAD JUST SPOKEN TO LEE LENIGER & DEBBIE LASH AND HAD BEEN REFERED TO ME... SHE WANTS TO KNOW WHAT HAPPENED TO THE SF5 THEY WERE SUPPOSED TO GET FROM AN INITIAL HEARING BACK IN NOV. 13, 1997. I DISCUSSED THE DETAILS WITH HER AND HER HUSBAND DAVE AND DISCOVERED THEY HAD BEEN RECOMMENDED BLM GROUND IN THE RIGHT, THEY HAVE AGREED TO DROP THE BLM ACRES AND SO EVERYONE IS READY TO SIGN THE SF5. IF THE SF5 CAN BE SIGNED THE TRIAL SET FOR 5/5/98 CAN BE VACATED.

I CALLED JOHN MARSHALL AND HE WAS ABLE TO LOCATE THE FILE AND AGREED TO PREPARE THE DOCUMENT AND GET THE FEDERAL SIGNATURES AND OTHERS TO FILE THE SF5 TIMELY WITH THE COURT.

*** CALLBACK ***

April 24, 1998 9:19am

NAME: RE:
DAVE & DEBBIE MAY CALLBACK CONFIRM ABOVE

I CALLED BACK AT 438-8730 TO INFORM THEM OF THE RESULTS OF MY INQUIRY... THEY HAD ALREADY PARTICIPATED IN A PHONE CONFERENCE WITH JOHN M. AND LEE L.

I CONFIRMED AGAIN WITH DAVE THAT THEY WILL BE DROPPING THE ACRES (19.0 AC.) FROM THE RIGHT AND NO TRANSFER OF POU IS PLANNED. THERE IS STILL THE NEED TO CHANGE THE OWNERSHIP FROM THE TRUST TO DAVE MAY. I WILL DISCUSS THIS WITH JOHN AND SEND THEM THE PROPER FORMS WITH INSTRUCTIONS ON WHEN TO FILE THE CHANGE OF OWNERSHIP FORM WITH US.

ADDRESS: 124 S 1350 W, PAUL, ID

CLAIMS: A36-02322 & A36-15226



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

April 24, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DAVE & DEBBIE MAY
124 S 1350 W
PAUL ID 83347

RE: CHANGE OF OWNERSHIP FORM

DEAR MR. & MRS. MAY,

Enclosed you will find the ownership form necessary to change the current owner listing for a water right with IDWR.

I discussed this with our attorney and he suggested waiting to file this document until you have received your Partial Decree for the water rights you now own, 36-02322 & 36-15226. They are usually issued within 90 days of the SF5 filing. This will help to avoid confusion during the final processing of the rights.

Feel free to contact me at our office if you have further questions.

Sincerely,

STEVE CLELLAND
Sr. Water Resource Agent

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