

RECEIVED

MAY 10 2005
DEPARTMENT OF
WATER RESOURCES

Hagerman, Idaho

April 12, 2005

Karl Dreher, Director
Idaho Department of Water Resources
322 E. Front St.
P.O. Box 83720
Boise, Idaho 83720-0098

Re: Delivery of Water to Water Right No.36-07071

Dear Mr. Dreher:

John W. Jones Jr. and Deloris D. Jones are entitled to delivery of 73.05 CFS from Weatherby Springs, Three Springs and Hoagland Tunnel pursuant to Water Right No. 36-07071 (Priority date 07-08-1969). As you know Weatherby Springs, Three Springs and Hoagland Tunnel are hydrologically connected to Eastern Snake River Plain Aquifer. We are now receiving 30 CFS. This shortage has significantly reduced our production.

John W. Jones Jr. and Deloris D. Jones hereby demand that you direct the Watermaster to administer water rights in the Water District as required by Idaho Code 42-607 in order to supply Jones prior right.

I have enclosed a copy of Partial Decree Pursuant to I.R.C.P. 54(b) for Water Right 36-07071.

Sincerely,

John W. Jones Jr.

enc

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 36-07071

200 APR 10 AM 10:19

JUDICIAL DISTRICT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

NAME & ADDRESS:

DELORIS D JONES
JOHN W JONES JR
PO BOX 265
HAGERMAN ID 83332

SOURCE:

WEATHERBY SPRINGS
THREE SPRINGS
HOAGLAND TUNNEL

TRIBUTARY: BILLINGSLEY CREEK
BILLINGSLEY CREEK
BILLINGSLEY CREEK

QUANTITY:

73.05 CFS

THE APPROPRIATOR SHALL CONTINUOUSLY ALLOW 6.50 CFS FROM
WEATHERBY SPRINGS TO BE DELIVERED INTO BAR S DITCH FROM THE
OUTLET OF FISH OPERATION DESCRIBED ABOVE FROM MARCH 1 UNTIL
NOVEMBER 1 OF EACH YEAR, AND SHALL CONTINUOUSLY ALLOW 4.00 CFS
FROM WEATHERBY SPRINGS TO BE DELIVERED INTO THE BAR S DITCH FROM
THE OUTLET OF FISH OPERATION DESCRIBED ABOVE FROM NOVEMBER 1
UNTIL MARCH 1 OF EACH YEAR.

PRIORITY DATE:

07/08/1969

POINT OF DIVERSION:

T07S R14E S30

SESENW
SESESW

Within GOODING County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
FISH PROPAGATION

PERIOD OF USE
01-01 12-31

QUANTITY
73.05 CFS

90 RACEWAYS

PLACE OF USE:

FISH PROPAGATION
T07S R14E S30

Within GOODING County
NESW

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. SECTION 42-1412(6), IDAHO CODE.

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.


BARRY HOOD
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

F A X T R A N S M I T T A L S H E E T

Date: 5 / 10 / 05

From: John W (Bill) Jones, Jr

Number of pages (including this sheet):

4

To: Tim Luke 208-287-6700

Company: Idaho Dept of Water Resources

Regarding: Water Right No. 36-07071

Note: if any of these fax copies are illegible, or you do not receive the same number of pages as stated above, please contact us immediately at: (208) 837-4580

<FAXSHEET.FRM>

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Karl D. Rehen, Director
 Idaho Dept of Resources
 322 E. Front ST
 P.O. Box 83720
 Boise, Idaho 83720-0098

2. Article Number
(Transfer from service label)

7000 1530 0008 1043 9493

PS Form 3811, February 2004

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X RECEIVED

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
 If YES, enter delivery address below: ☐ No

CENTRAL POSTAL SERVICES

3. Service Type

☐ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

10295-02-M-1540