

No Color
Documents
In File

District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls, ID 83303-2707

Important Information About Your Water Right

December 14, 2001

JAY V JENSEN
DEANN JENSEN
RT 1 BOX 112
MOORE, ID 83255

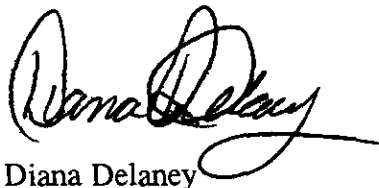
Dear Water Right Claimant(s):

The reverse side of this letter contains a copy of an ***Order Amending Irrigation Period of Use Element in Partial Decree, Nunc Pro Tunc*** (hereinafter "***Order***") for water right number 34-02357B. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of this water right. If you are not the current owner, please contact IDWR immediately at:

Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706
800-451-4129

The Purpose of the ***Order*** is to set forth beginning and ending dates for the irrigation period of use for this water right. As stated in the face of the ***Order***, this action was necessary following the decision of the Idaho Supreme Court in *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998). This ***Order*** also incorporates into the ***Partial Decree*** an express statement that the ***Partial Decree*** is subject to such general provisions necessary for the definition or for the efficient administration of the water right. This express statement is necessary to comply with the requirements of Idaho Code section 42-1412(6). This ***Order*** in combination with the ***Partial Decree*** that was issued for this water right on December 10, 1997, sets forth all of the elements of your water right. The Snake River Basin Adjudication (SRBA) Court suggests that you keep this document in a safe location together with a copy of the ***Partial Decree*** to show evidence of the water right. The original of this ***Order*** and the original of the ***Partial Decree*** for this water right are on file with SRBA Court. If you do not have a copy of the original ***Partial Decree***, one can be obtained by contacting the SRBA Court at (208) 736-3011. Please note that the ***Order*** is entered ***Nunc Pro Tunc***, meaning that the ***Order*** will be treated as if it were issued the same date that the ***Partial Decree*** was originally issued.

Sincerely,



Diana Delaney
Case Administrator

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 34-02357B

1997 DEC 10 PM 3:11

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

NAME & ADDRESS: GARTH BLATTNER
307 BLATTNER LANE
ARCO ID 83213

SOURCE: GROUNDWATER

QUANTITY: 2.00 CFS
287.0 AFY

PRIORITY DATE: 03/31/1960

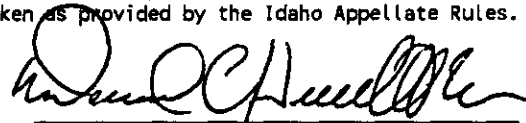
POINT OF DIVERSION: T04N R26E S23 SESWSE Within BUTTE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		Irrigation Season	2.00 CFS 287.0 AFY

PLACE OF USE:	IRRIGATION	Within BUTTE County
	T03N R27E S14	NWNW 14
	S15	NENE 40
	82 ACRES TOTAL	SENE 28

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.



DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

**PHILIP E. BATT
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

March 10, 1997

Lew Rothwell
Route 1, Box 550
Arco, Idaho 83213

Re: Lyle Peterson well

Dear Mr Rothwell

Your letter of February 24, 1997 indicates you are not satisfied that IDWR understands which well was owned by Mr. Lyle Peterson that should be subject to the restrictions of the order issued by the Jones-McAfee Local Ground Water Board.

I know you are well informed on the locations of all the wells addressed by the order because you live in the area and you were involved in the ground water board proceeding. I am sure you can help with my understanding of this matter. I would like to meet with you, have you show me which wells are involved, and review IDWR's records involving these wells and the water rights.

I will bring along copies of IDWR's records concerning the ground water board proceeding and files concerning water right licenses and transfers involving wells in the area to assist in our review. You had several questions about whether appropriate procedures had been followed to change specific water rights. I will bring copies of the files for those licenses for review and discussion as well.

If this approach is satisfactory, I will call you to let you know when I plan to be in your area and arrange a time to meet.

Sincerely,

Norman C. Young
Administrator,
Water Management Division

LEW ROTHWELL RT. # 1 BOX 550
ARCO, ID. 83213 (208) 527-3089

Feb. 24, 1997

IDAHO DEPT. OF WATER RESOURCES
NORMAN YOUNG
STATEHOUSE MAIL BOISE, IDAHO 83720-9000

Dear Mr. Young:

Before the irrigation season starts in the Big Lost River Valley, I would like to notify you that I am still not satisfied with the McAfee -- Banta Well. I am one of the few persons that know where the Lyle Peterson well was located.

I have a few questions, when and where was the supposedly new well advertised? What became of Peterson's well? Who was the supervisor from the Dept. that approved of this well? Someone from the IDWR should stop by and listen to the water cascading down this well and determine if the perforations are 105 feet deep. One of the Drillers that originally worked or drilled this well, lost his license, what was the cause? One way or the other this well is going to be inspected.

As for the well south of the County Shed, Jack Barnett said the department would take care of them. I'm still waiting. You should stop by and see them pumping, and then tell me if they are deep wells.

How could a portion of well # 34-02357A be transferred without advertising?

~ JONES -- SCHUREMAN -- JENSEN ~

If that old man up above had wanted the underground destroyed, you would not need a pump to do it.

If you want more names on this letter, than me, I will sure send them to you.

We don't need any more leaches, we have enough already.

SINCERELY,

LEW ROTHWELL