

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
ORIGINAL AT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME & ADDRESS: DELORIS D JONES
JOHN W JONES JR
PO BOX 265
HAGERMAN ID 83332

SOURCE: WEATHERBY SPRINGS TRIBUTARY: BILLINGSLEY CREEK
THREE SPRINGS BILLINGSLEY CREEK
HOAGLAND TUNNEL 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 Within GOODING County
SENESW

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
FISH PROPAGATION 01-01 12-31 73.05 CFS
90 RACEWAYS

PLACE OF USE: FISH PROPAGATION Within GOODING County
T07S R14E S30 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.

B Wood
BARRY WOOD
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

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. Neher, Director
 Idaho Dept of WRAS 0015
 322 E. Front ST
 B. O. Box 83720
 Boise, Idaho 83720-0098

2. Article Number:
 (Transfer from service label) 7000 1530 0008 1043 9423

COMPLETE THIS SECTION ON DELIVERY

A. Signature _____ Agent
 Addressee
X RECEIVED
 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

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>