

**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)	Subcase No. 91-00005-34
)	(Basin-Wide Issue 5, Basin 34)
)	
Case No. 39576)	ORDER DISMISSING
)	OBJECTIONS TO IRRIGATION
_____)	SEASON OF USE

**I.
PROCEDURAL BACKGROUND**

1. On June 24, 1999, the Idaho Department of Water Resources (IDWR) issued a *Director's Report* recommending irrigation season of use elements for individual irrigation rights in Administrative Basin 34. *Supplemental Director's Report, Reporting Area 1, IDWR Basin 34, Regarding Revisions of the Following: Period of Use (For Irrigation Water Uses), Conjunctive Management General Provisions* (June 24, 1999) ("*Supplemental Director's Report*").

2. Objections to the *Supplemental Director's Report* were filed both to specific recommended dates for the period of use, and generally to a recommended provision that allowed for the expansion of the season of use for certain water rights in "seasons of unusual characteristics." These later objections were referred to as "global" objections and consolidated for trial with Basin Wide Issue 5-34 (Conjunctive Management Provisions Unique to Basin 34). Objections as to specific dates were to be referred to special masters and litigated individually. The subcases in which objections were filed are listed in Exhibit A, attached hereto and incorporated herein by reference.

3. On September 11, 2000, pursuant to an order of the Court and I.R.E. 706, IDWR filed its *Supplemental Director's Report for Basin Wide Issue 5-34 Regarding Period of Use Explanation* ("*706 Report*"), explaining the basis for its recommendations.

4. Prior to the time and date set for the pre-trial conference in Basin Wide Issue 5-34, all remaining objecting parties withdrew their respective objections (both

global and as to specific dates) to IDWR's recommendations. No further objections remain to irrigation period of use provisions.

**II.
ORDER DISMISSING OBJECTIONS**

Based on the withdrawal of the objections, IT IS ORDERED that the objections to the irrigation season of use provisions filed in the subcases listed in Exhibit A are hereby DISMISSED.

IT IS SO ORDERED.

DATED: 5/8/01

ROGER S. BURDICK
Administrative District Judge and
Presiding Judge of the
Snake River Basin Adjudication

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 the 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.

DATED: 5/8/01

ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication