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Attorney for IDWR

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. 34-00175
	)	
	)	
Case No. 39576	)	
	)	
	)	STATUS REPORT

DESCRIPTIVE SUMMARY

On November 16, 1995, a scheduling conference was held in the above-referenced subcase. At the hearing, the Special Master requested IDWR provide a status report for this subcase and related subcase numbers 34-00684B, 34-00685B, and 34-00878A. IDWR submits the following report.

DISCUSSION

By way of background, the claimant, Scott McAfee, claimed and was recommended a 17 acre place of use for water right no. 34-00175. The United States Bureau of Land Management (BLM) objected, claiming that two acres of the place of use were on BLM

lands.

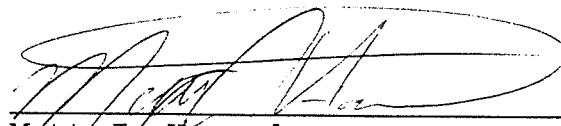
At the November 16, 1995, scheduling conference, the parties indicated that they were close to settlement of this subcase. Mr. McAfee indicated that he would agree to remove the two acres off of BLM land, but he asked IDWR to see if those two acres could be recommended elsewhere in the same quarter-quarter sections recommended for this right.

Upon review of the claim file and maps relating to this water right, IDWR was able to remove the two acres off of BLM land and recommend those acres in other quarter-quarter sections recommended for this right. IDWR has sent a copy of the Director's revised recommendation, which reflects these changes, to the parties. The revised recommendation should resolve the dispute between the parties regarding this water right.

Besides 34-00175, the Special Master also inquired into the status of overlapping water right nos. 34-00684B, 34-00685B, and 34-00878A. The BLM has objected to all these water rights. However, these water rights involve application of the amnesty statutes and are currently stayed by the court.

DATED this 15th day of December, 1995.

Respectfully submitted

A handwritten signature in dark ink, appearing to read "Matt J. Howard", is written over a horizontal line.

Matt J. Howard
Deputy Attorney General
Idaho Department of Water Resources

CERTIFICATE OF MAILING

I certify that on December 15, 1995, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

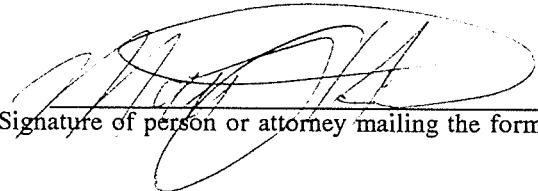
1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

Scott McAfee
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Signature of person or attorney mailing the form