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Department of Water Resources

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DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED DL

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: 36-15347
	)	
Case No. 39576	)	PRELIMINARY MASTER'S REPORT
	)	AND RECOMMENDATION
	)	

FINDING OF FACT

Land View Fertilizer, Inc., is the claimant of .08 cfs of groundwater for commercial use year 'round based on beneficial use. On November 2, 1992, the Director of the Idaho Department of Water Resources filed his *Director's Report for Reporting Area 3 (Basin 36)*. No one objected to the recommendations on this claim.

On April 23, 1996, the claimant and IDWR filed a *Standard Form 5*. Because the stipulation relates to a contested subcase, 36-11584, and because this claim was uncontested, an **Amended Order of Reference** was entered on April 24, 1996, referring the claim to the Special Master.

CONCLUSIONS OF LAW

The claimant is entitled to a water right as described in the *Standard Form 5*.

RECOMMENDATION

It is recommended that Land View Fertilizer, Inc., be adjudicated the following water right under claim no. 36-15347:

Name and address of claimant:
Land View Fertilizer, Inc.
Box 86
Minidoka, ID 83343

Source of water:

Groundwater

3001 - E YAM

Quantity of water used:

.08 cfs

11.3 afy

Use of this right, with right no. 36-11584, is limited to a total combined annual diversion volume of 18.6 af.

Date of priority:

January 1, 1961

Point of diversion:

T 8S, R 25E, § 2, B.M., Minidoka County, Idaho,

NE¼SE¼SW¼

Right no. 36-11584 is also diverted through point of diversion described above.

Purpose of use:

Commercial

Fertilizer plant with office.

Period of use:

January 1 to December 31

Place of use:

T 8S, R 25E, § 2, B.M., Minidoka County, Idaho,

SE¼SW¼

Annual volume of consumptive use:

Use of this right, with right no. 36-11584, is limited to a total combined annual consumptive use volume of 7.2 af.

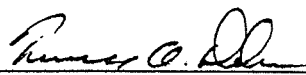
Conditions on exercise of water right:

None

Remarks or other matters necessary for definition of the right, for clarification of any element of the right, or for administration of the right by the director:

None

DATED April 30, 1996.



TERRENCE A. DOLAN
Special Master, Reporting Area 3
Snake River Basin Adjudication