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Department of Water Resources
Adjudication Bureau

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DISTRICT COURT-SRBA
TWINFALLS CO. IDAHO
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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: 36-00041A
)

Case No. 39576

) PRELIMINARY MASTER'S REPORT
) AND RECOMMENDATION
)
)

FINDING OF FACT

Philip and Judith Dice filed their *Notice of Claim to a Water Right* on August 10, 1988, claiming .04 cfs of water from the Hoagland Tunnel to irrigate .7 acre based on the 1932 *New International Mortgage Bank* decree. On November 2, 1992, the Director of the Idaho Department of Water Resources filed his *Director's Report for Reporting Area 2 (Basin 36)* recommending .02 cfs.

The claimants filed their *Objection* on April 29, 1993, objecting to name and address, quantity, purpose of use, period of year, consumptive use and other. The Director's *Response to Objection* filed September 10, 1993, proposed no changes to the recommendation.

On March 4, 1996, the claimants and IDWR filed a *Standard Form 5*.

CONCLUSIONS OF LAW

The claimants are entitled to a water right as described in the *Standard Form 5*.

RECOMMENDATION

It is recommended that Philip and Judith Dice be adjudicated the following water right under claim 36-00041A:

Name and address of claimants:

**Philip and Judith Dice
2912 South, 1050 East
Hagerman, ID 83332**

Source of water:
Hoagland Tunnel

Quantity of water used:
.02 cfs

Date of priority:
December 12, 1901

Point of diversion:
**T 7S, R 14E, § 30, B.M., Gooding County, Idaho,
SE¼NE¼SW¼**

Water is delivered through the Hoagland Ditch.

Purpose of use:
Irrigation and stockwater

Period of use:
**Irrigation- Irrigation season
Stockwater- January 1 to December 31**

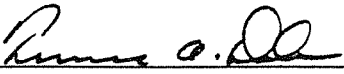
Place of use:
**T 7S, R13E, § 36, B.M., Gooding County, Idaho,
NW¼NE¼ -.7 acre**

Annual volume of consumptive use:
2.1 afy

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 May 13, 1996.



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