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Department of Water Resources

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DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED *PL*

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 36-04219
	)	
Case No. 39576	)	PRELIMINARY SPECIAL MASTER'S
	)	REPORT AND RECOMMENDATION
_____	)	

FINDING OF FACT

Smith Ranches, Inc., filed its *Notice of Claim to a Water Right* on January 10, 1990, claiming 4 acre feet per annum for stockwater storage on a BLM grazing allotment based on a "statutory claim." 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 the water right as claimed. The United States of America, Department of the Interior, Bureau of Land Management, filed its *Objection* on April 30, 1993, objecting to name and address.

Smith Ranches filed its *Response to Objection* on June 23, 1993. The Director filed his *Response* on September 10, 1993, proposing no change in his recommendation.

On May 13, 1996, Smith Ranches, the United States and IDWR filed an *Amended Standard Form 5* amending the claimant of the water right.

CONCLUSIONS OF LAW

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

RECOMMENDATION

It is recommended that the United States be adjudicated the following water right under claim 36-04219:

Name and address of claimant:

**United States of America
Department of the Interior
Bureau of Land Management
3380 Americana Terrace
Boise, ID 83706**

Source of water:

Pratt Lake, also known as Pratt Lake Reservoir

Quantity of water used:

4 afy

Date of priority:

June 30, 1965

Point of diversion:

**T 1S, R 27E, § 24, B.M., Butte County, Idaho,
NW¼NE¼NE¼**

Purposes of use:

**Stockwater storage
Stockwater from storage
Wildlife storage
Wildlife from storage**

Period of use:

January 1 to December 31

Places of use:

**T 1N, R 27E, B.M., Butte County, Idaho,
§ 25- NE¼SW¼
§ 28- SW¼SE¼**

**T 1S, R 27E, B.M., Butte County, Idaho,
§ 2- SE¼SE¼
§ 24- NE¼NE¼**

**T 1S, R 28E, B.M., Butte County, Idaho,
§ 8- NW¼SW¼
§ 28- NW¼SE¼
§ 32- NW¼NW¼**

Annual volume of consumptive use:

N/A

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 14, 1996.



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