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Department of Water Resources
Adjudication Bureau

1996 MAY 14 PM 1:45
DISTRICT COURT-SRBA
TWIN FALLS CO, IDAHO
FILED

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: 36-12784
	)	
Case No. 39576	)	PRELIMINARY MASTER'S REPORT
	)	AND RECOMMENDATION
	)	

Finding of Fact

Thomas R. Orr, Jr., filed a *Notice of Claim to a Water Right* on September 28, 1989, claiming .04 cfs for domestic use 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 2 (Basin 36)* recommending the water right as claimed, but with different claimants, priority date, point of diversion and place of use.

Mr. Orr filed his *Amended Objection* on May 4, 1993, objecting to name and address, points of diversion and place of use. The Director's *Response to Objection* filed August 16, 1993, proposed amendment of the objected to elements.

On January 13, 1995, Mr. Orr, IDWR and the parties originally reported as the claimants filed a *Standard Form 5*.

Conclusions of Law

Mr. Orr is entitled to a partial decree adjudicating his water right as described in the *Standard Form 5*.

Recommendation

It is recommended that Mr. Orr be adjudicated the following water right under claim 36-12784:

Name and address of claimant:
Thomas R. Orr, Jr.
Box 501
Rupert, ID 83350

Source of water:
Groundwater

Quantity of water used:
.04 cfs

Date of priority:
September 1, 1978

Point of diversion:
T 9S, R 24E, § 16, B.M., Minidoka County, Idaho,
NE¼SW¼SW¼

Purpose of use:
Domestic

Period of use:
January 1 to December 31

Place of use:
T 9S, R 24E, § 16, B.M., Minidoka County, Idaho,
SW¼SW¼

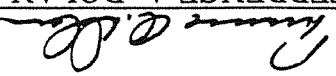
Property also known as Lot 1, Block 3, Balliet Subdivision, Parcel No.
RP001800030010.

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