

RECEIVED

MAY 17 1996

Department of Water Resources
Adjudication Bureau

1996 MAY 15 PM 2:54

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: 36-15465
)
)
)
)
)

Case No. 39576

PRELIMINARY SPECIAL MASTER'S
REPORT AND RECOMMENDATION

Finding of Fact

James and Nada Johns filed their *Notice of Claim to a Water Right* on February 21, 1990, claiming .04 cfs of groundwater for domestic and stockwater uses 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)*, but the claim was omitted.

The claimants filed their *Objection* on March 25, 1993, objecting to the water right not being recommended and other. The Director's *Response to Objection* filed August 31, 1993, proposed that the claim be allowed.

On March 14, 1995, the claimants and IDWR filed a *Standard Form 5*.

Conclusions of Law

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

Recommendation

It is recommended that James and Nada Johns be adjudicated the following water right under claim 36-15465:

Name and address of claimants:

**James and Nada Johns
47 East, Frontage Road South
Jerome, ID 83338**

Source of water:

Groundwater

Quantity of water used:

Domestic- .04 cfs

Stockwater- .02 cfs

Total quantity- .04 cfs

Date of priority:

July 3, 1963

Point of diversion:

**T 9S, R 17E, § 6, B.M., Jerome County, Idaho,
Lot 2 (NW¼NE¼)**

Purposes of use:

Domestic and stockwater

Period of use:

January 1 to December 31

Place of use:

**T 9S, R 17E, § 6, B.M., Jerome County, Idaho,
Lot 2 (NW¼NE¼)**

Parcel No. RP09S17E060625A

Annual volume of consumptive use:

N/A

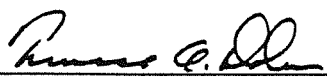
Conditions on exercise of water right:

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 15, 1996.



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