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5-29

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 No. 36-00001
	)	
Case No. 39576	)	IDWR REPORT RE: REVIEW
	)	OF PRELIMINARY SPECIAL
	)	MASTER'S REPORT
_____	)	

DESCRIPTIVE SUMMARY

IDWR submits this report to inform the Court and the parties that IDWR has reviewed the Preliminary Special Master's report submitted in this subcase and has these comments.

DISCUSSION

1. The comments of IDWR in regards to specific elements of the water right in the Preliminary Special Master's Report are:

[X] Source

The source of water for water right no. 36-00001 should be described as:

RILEY CREEK TRIBUTARY TO: SNAKE RIVER

The director's report includes the body of water to which the source of the right is tributary for each water right in the director's report, except for rights to ground water. IDWR adopted this standard for the description of the source of water rights because there are so many instances, sometimes in the same administrative basin, where different surface water sources bear the same name.

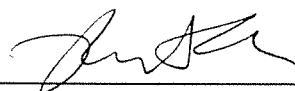
[X] Quantity

The remark, "5.96 cfs of right no. 36-00002 is limited to use for conveyance losses in delivery of this right and right no. 36-00002," was included in the standard form 5 because at the time the form was executed IDWR was including conveyance loss remarks in water rights recommended in director's reports. Due to a change in format, IDWR is no longer including remarks separately quantifying that portion of the diversion rate attributable to conveyance loss.

. [X] Point of Diversion

The remark, "water is delivered through the Hunt Ditch," was included in the standard form 5 because it was included in the

recommendation of this right in the director's reports. Such type of remarks are now included in the director's report as, "explanatory material." This section of the director's report is used for departmental purposes in administration of the water right and is no longer intended to be included in the final decree.



Brent King
Deputy Attorney General
Idaho Department of Water Resources

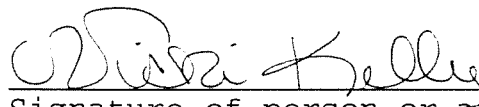
CERTIFICATE OF MAILING

I certify that on May 24, 1996, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:



Signature of person or attorney
mailing the form