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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 No. 36-08135
	)	
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] Quantity

See "Purpose of Use." Without accurately describing the domestic purpose of use of this water right, the quantity of

1 - IDWR REPORT RE: REVIEW OF PRELIMINARY SPECIAL MASTER'S REPORT.

water used in a domestic setting could be increased while keeping the flow rate in the same amount, thus, leading to an expansion of the water right.

Similarly, the quantity for stockwater in the director's report and SF-5 included the number of head of stock. This was included to prevent an expansion of the stockwater right in the future. It is IDWR's understanding that the issue of whether to include the number of head of stock is being addressed in Basin-Wide no. 12.

Finally, the quantity in water right no. 36-08135 should include a diversion volume, described as;

43.4 AFY

The diversion volume should be included because the quantity in water right no. 36-08135 exceeds 13,000 gallons per day.

[X] Purpose of Use

The purpose of use for water right no. 36-13492 should be described as:

DOMESTIC - 1 HOUSE

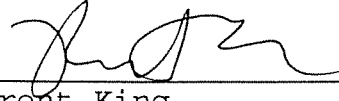
The director's report includes the number and type of domestic uses. This is done to prevent expansion of the water right by adding on consumptive uses that were not historically in existence.

The director's report and SF-5 also included the number of head of stock as;

STOCKWATER - 4000 CATTLE

It is IDWR's understanding that the issue of whether to include

the number of head of stock in a decree is being addressed in
Basin-Wide no. 12.



Brent King
Deputy Attorney General
Idaho Department of Water Resources

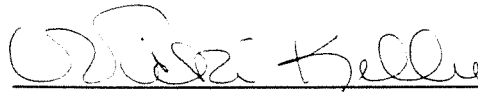
CERTIFICATE OF MAILING

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