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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. 36-08649
	)	
	)	IDWR REPORT RE: REVIEW
Case No. 39576	)	OF STANDARD FORM 5
	)	
	)	

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:

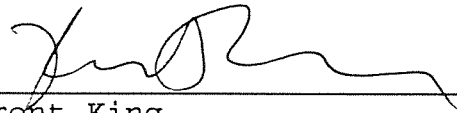
[X] Quantity

The quantity for water right no. 36-08649 should include a diversion volume, described as;

294 AFY

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

Idaho Code § 42-1411(2) provides for the director's report to include a determination of the quantity of water used in CFS (diversion rate) or quantity of water stored in AFY (annual diversion volume), for each claim to a water right appropriated under state law, and for storage be determined in the director's report in acre-feet per year. Since groundwater exhibits some of the properties of both surface streams (flow) and reservoirs (storage/volume), the modern trend throughout the western states is to quantify groundwater rights by both diversion rate (cfs) and annual diversion volume (AFY). The director's report states a diversion volume for rights to groundwater except for de minimis domestic and/or stockwater rights (unless the domestic or stockwater rights are based on a license or decree that previously determined the diversion volume).



Brent King
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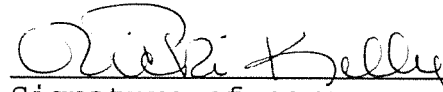
CERTIFICATE OF MAILING

I certify that on June 13, 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