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Department of Water Resources

AUG 29 1996 5:43
DISTRICT COURT - SRBA
TWIN FALLS, IDAHO
PK

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

) Subcases: See Attached Exhibit A
)

Case No. 39576
_____)

) I.R.E. 706 ORDER
)
)
)

36-3A
ed

The Department of Water Resources (IDWR) is hereby ordered to file a report with this court addressing the following inquiries:

1. Explain in detail the factual and legal basis upon which IDWR subtracts average precipitation from a determination of annual volume of consumptive use;
2. Can a determination of annual volume of consumptive use, stated in a decree, be used by IDWR or any senior user to reduce or limit the use of water by a junior user in times of scarcity;
3. In times of scarcity, will a consumptive use determination that subtracts average annual precipitation reflect the actual consumptive use provided by irrigation.

This report is due on or before Monday September 16, 1996 at 5:00 pm.

DATED August 29, 1996.

Fritz X. Haemmerle

FRITZ X. HAEMMERLE
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the **I.R.E. 706 ORDER** was mailed on August 29, 1996, with sufficient first-class postage to the following:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, ID 83711-4449

Director of IDWR
P O Box 83720
Boise, ID 83720-0098

Edith Vernon
2722 South 900 East
Hagerman, Idaho 83332

Frank C & Peggy Erwin
Route 1, 453
Hagerman, Idaho 83332

Mark & Susan Potter
Route 1
Hagerman, Idaho 83332

Basil Lester & Myrle Hyde Zink
P O Box 455
Hagerman, Idaho 83332

Dick J & Sigrid E Veenendaal
Box 512, 221 Willow Lane
Hagerman, Idaho 83332

Edna Mae Rea
853 East 2830 South
Hagerman, Idaho 83332-5641

George J & Nellie W Korbis
966 Pioneer Road
Hagerman, Idaho 83332

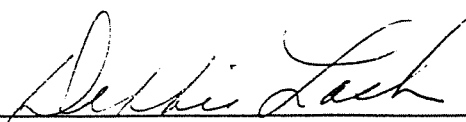
Mattie P & Golden T Grigg
P O Box 278 A
Hagerman, Idaho 83332

Mildred Culbertson
P O Box 386
Hagerman, Idaho 83332

Patrick D Brown
P O Box 389
Twin Falls, Idaho 83303

Roger Shaffer
Box 123
Hagerman, Idaho 83332

Doyt H & Roxie J Simcoe
562 Sunrise Blvd. N
Twin Falls, Idaho 83301



Deputy Clerk

EXHIBIT A

Subcase Nos:

36-00003A
36-00003C
36-00003E
36-00003F
36-00034B
36-00035J
36-00039C
36-00039E
36-00039J
36-00039N
36-00047
36-00061
36-00062
36-00063
36-00064B
36-00079
36-00085A
36-00086C
36-00092
36-00103F
36-00106
36-00108B
36-10283B
36-10409