

STANDARD FORM 5 REVIEW REPORT

Subcase No. 34-04154

In Re SRBA
Twin Falls County Civil Case No. 39576

Report to the SRBA District Court

Prepared by the Idaho Department of Water Resources
Karl J. Dreher, Director

September 10, 1996

DESCRIPTIVE SUMMARY

IDWR submits this report to inform the Court and the parties that IDWR has reviewed the Standard Form 5 submitted by the parties in this subcase and that the Director has chosen not to sign the Standard Form 5.

DISCUSSION

The Director did not sign the Standard Form 5 for the reasons set forth below.

- 1. The description of the elements of the water right in the Standard Form 5 are not correct as stated below:**

[X] Point of Diversion

The SF5 incorrectly identifies the points of diversion as “S26 NENW (B)” and “S34 NWSW (E).” A correct description of the points of diversion is set out in IDWR’s Response to Objection dated July 19, 1993, as follows: “S26 NWNENW (B), S27 NWNENE (B), S27 SWNENE (E), and S34 SESENW (E).”

[X] Quantity

The quantity of water for this right is correctly stated in the SF5 as ".05 cfs." However, IDWR did not sign the SF5 because further description of the quantity element for this right should be consistent with the resolution of Basin Wide Issue 12, which is currently under consideration by the Court.

[X] Place of Use

The SF5 incorrectly includes the NWSW of Section 34 in the place of use. A

correct description of the place of use does not include the NWSW of Section 34 as set out in IDWR's Response to Objection dated July 19, 1993.

Respectfully submitted this 10 day of September, 1996.



Matt J. Howard
Deputy Attorney General
Idaho Department of Water Resources

CERTIFICATE OF MAILING

I certify that on September 10, 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:

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