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Department of Water Resources

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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: 36-12784

Case No. 39576

) AMENDED PRELIMINARY  
) SPECIAL MASTER'S REPORT  
)  
)

**Findings of Fact**

Thomas R. Orr, Jr., Box 501, Rupert, Idaho 83350, filed a *Notice of Claim to a Water Right* on September 28, 1989, claiming .04 cfs for domestic use based on beneficial use. On November 2, 1992, the Director of the Idaho Department of Water Resources filed his *Director's Report for Reporting Area 2 (Basin 36)* recommending the water right as claimed, but with different claimants, priority date, point of diversion and place of use.

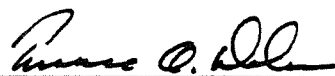
Mr. Orr filed his *Amended Objection* on May 4, 1993, objecting to name and address, points of diversion and place of use. The Director's *Response to Objection*, filed August 16, 1993, agreed to amendment of the objected-to elements. On January 13, 1995, Mr. Orr, IDWR and the parties originally reported as the claimants filed a *Standard Form 5*.

A *Preliminary Master's Report and Recommendation* was entered on May 14, 1996. On June 7, 1996, IDWR lodged its *Review of Preliminary Special Master's Report* concerning purpose of use.

**Conclusions of Law**

Mr. Orr is entitled to a partial decree adjudicating his water right under claim 36-12784 as described in the *Standard Form 5* and the *Preliminary Special Master's Recommendation for Partial Decree for Water Right 36-12784*.

DATED September 13, 1996.



TERRENCE A. DOLAN

Special Master, Reporting Area 3  
Snake River Basin Adjudication

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STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

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PRELIMINARY

SEP 13 PM 2:31  
SPECIAL MASTER'S RECOMMENDATION FOR  
PARTIAL DECREE FOR SRBA  
IDaho  
Water Right 36-12784 *PZ*

NAME & ADDRESS: THOMAS ROBERT ORR JR  
PO BOX 501  
RUPERT ID 83350

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000  
GALLONS PER DAY.

PRIORITY DATE: 09/01/1978

POINT OF DIVERSION: T09S R24E S16 NESWSW Within MINIDOKA County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE  | PERIOD OF USE | QUANTITY |
|-------------------------------|-----------------|---------------|----------|
|                               | DOMESTIC 1 HOME | 01-01 12-31   | 0.04 CFS |

PLACE OF USE: DOMESTIC Within MINIDOKA County  
T09S R24E S16 SWSW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A  
DETERMINATION OF HISTORICAL BENEFICIAL USE.

DATED: 9-13-96

*Terrence A. Dolan*  
TERRENCE A. DOLAN  
Special Master  
Snake River Basin Adjudication