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DISTRICT COURT, SRBA
TWIN FALLS CO., IDAHO

FILED *DL*

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: 36-15091

Case No. 39576

)
) AMENDED PRELIMINARY
) SPECIAL MASTER'S REPORT
)
)
)

Finding of Fact

James and Susan Martin, Box 356, Hagerman, Idaho 83332, filed their *Notice of Claim to a Water Right* on August 31, 1988, claiming .06 cfs of groundwater for domestic and stock water uses from January 1 to December 1 with a priority date of June 10, 1970, 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 a period of use from January 1 to December 31.

The claimants filed their *Objection* on May 24, 1993, objecting to quantity, purpose of use, period of year, consumptive use, remarks and other. They also alleged in the *Objection* that the basis of their claim is the 1932 *New International Mortgage Bank* decree and the priority date is January 2, 1891. The Director's *Response to Objection*, filed August 31, 1993, proposed no changes in the recommendation.

On November 3, 1995, the claimants and IDWR filed a *Standard Form 5* agreeing to the elements as recommended in the *Director's Report*. A *Preliminary Special Master Report and Recommendation* was filed on April 30, 1996. On June 14, 1996, IDWR lodged its *Review of Preliminary Special Master's Report* suggesting changes in the reported quantity and purpose of use.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
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In Re SRBA)
Case No. 39576)
_____)

PRELIMINARY

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SPECIAL MASTER'S RECOMMENDATION FOR A
PARTIAL DECREE FOR TWIN FALLS, IDAHO
Water Right 36-15091 *PL*

NAME & ADDRESS: JAMES MARTIN
SUSAN MARTIN
PO BOX 356
HAGERMAN ID 83332

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

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

PRIORITY DATE: 06/10/1970

POINT OF DIVERSION: T07S R13E S11 SESESW Within GOODING County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.02 CFS
	DOMESTIC 1 HOUSE	01-01 12-31	0.04 CFS

PLACE OF USE:	STOCKWATER	Within GOODING County
	T07S R13E S11	SESW
	DOMESTIC	Within GOODING County
	T07S R13E S11	SESW

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: 9-12-96

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

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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	)	CERTIFICATE OF MAILING
	)	
Case No. 39576	)	Water Right 36-15091
_____	)	

I certify that a true and correct copy of the *Amended Preliminary Special Master's Report for Subcase No. 36-15091* and *Notice of Issuance of Amended Preliminary Special Master's Report and Recommendation* were mailed on September 13, 1996 with sufficient first-class postage prepaid to the following:

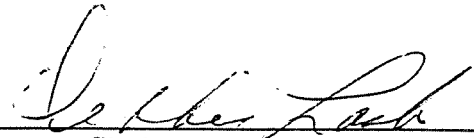
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P. O. Box 44449
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Ruth Shokal
963 Pioneer Road
Hagerman, Idaho 83332



Deputy Clerk