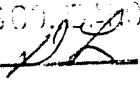


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SEP 23 1996
Department of Water Resources

1996 SEP 20 AM 9:56
DISTRICT COURT-530A
TWIN FALLS CO, ID 83400
FILED 

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: 36-10800
	)	
Case No. 39576	)	PRELIMINARY SPECIAL
	)	MASTER'S REPORT
	)	
_____	)	

Findings of Fact

Adrian K. Boer, 466 South, 200 West, Jerome, Idaho 83338, filed his *Notice of Claim to a Water Right* on August 31, 1988, claiming .04 cfs of groundwater for domestic and stockwater purposes 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 claim as filed.

The United States of America, Department of the Interior, Bureau of Land Management, filed its *Objection* on April 30, 1993, objecting to place of use and other. The Director's *Response to Objection*, filed August 16, 1993, proposed correcting an error in the place of use.

On June 12, 1995, Mr. Boer, the United States and IDWR filed a *Standard Form 5*.

Conclusions of Law

Adrian K. Boer is entitled to a partial decree adjudicating his water right under claim 36-10800 as described in the *Standard Form 5* and the *Preliminary Special Master's Recommendation for Partial Decree for Water Right 36-10800*.

DATED September 19, 1996.



TERRENCE A. DOLAN
Special Master, Reporting Area 3
Snake River Basin Adjudication

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Department of Water Resources
In Re SRBA)

Case No. 39576)

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

PRELIMINARY

SEP 20 AM 9:56
SPECIAL MASTER'S RECOMMENDATION FOR
PARTIAL DECREE FOR DISTRICT COURT-SEAL
TWIN FALLS COUNTY
Water Right 36-10800
FILED *AL*

NAME & ADDRESS: ADRIAN K BOER
466S 200W
JEROME ID 83338

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 12/01/1945

POINT OF DIVERSION: T09S R16E S07 NENESE Within GOODING County
NESWSE

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
	T09S R16E S07	SESE
	DOMESTIC	Within GOODING County
	T09S R16E S07	SESE

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: 9-20-96

Terrence A. Dolan

TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

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Department of Water Resources

1996 SEP 20 AM 9:56

DISTRICT COURT-353A

TWIN FALLS COUNTY

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)
Case No. 39576)
_____)

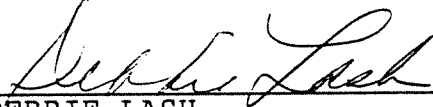
NOTICE OF ISSUANCE OF
PRELIMINARY SPECIAL MASTER'S
REPORT AND RECOMMENDATION

Water Right(s): 36-10800

On September 20, 1996, Special Master TERRENCE A. DOLAN issued a PRELIMINARY SPECIAL MASTER'S REPORT and a PRELIMINARY SPECIAL MASTER'S RECOMMENDATION pursuant to SRBA Administrative Order 1 sections 11 (e) and (f).

These documents are served only on parties to the subcase. They are not served on the Presiding Judge. Parties to this subcase may file a Motion for Reconsideration or a Motion to Correct Clerical Errors with the Special Master, but must do so before October 04, 1996.

DATED September 20, 1996.


DEBBIE LASH
Deputy Clerk

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SEP 23 1996

Department of Water Resources

1996 SEP 20 AM 9:56

DISTRICT COURT-5TH JUDICIAL DISTRICT
TWIN FALLS, IDAHO
FILED *[Signature]*

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(s): 36-10800

CERTIFICATE OF MAILING

I certify that a true and correct copy of PRELIMINARY SPECIAL MASTER'S REPORT, PRELIMINARY SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF PRELIMINARY SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on September 20, 1996, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

CLIVE STRONG
DEP AG OFFICE OF ATTY GEN
STATEHOUSE MAIL
BOISE, ID 83720

CHIEF, NTRL RESOURCES DIV
OFFICE OF THE ATTORNEY GENERAL
PO BOX 44449
BOISE, ID 83711-4449

K. JACK HAUGRUD
U.S. DEPARTMENT OF JUSTICE
550 WEST FORT STREET, MSC 033
BOISE, ID 83724-0663

CERTIFICATE OF MAILING

PAGE 1
09/20/96