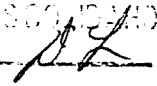


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SEP 23 1996

Department of Water Resources

1996 SEP 20 AM 9:54

DISTRICT COURT-SRBA  
TWIN FALLS, IDAHO  
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: 36-13491  
)  
)

Case No. 39576  
)  
)  
)  
)  
)  

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AMENDED PRELIMINARY  
SPECIAL MASTER'S REPORT

**Findings of Fact**

The A&B Irrigation District filed its *Notice of Claim to a Water Right* on October 12, 1989, claiming .04 cfs of groundwater 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.

The United States of America, Department of the Interior, Bureau of Reclamation, filed its *Objection* on April 30, 1993, objecting to name and address and remarks. The Director's *Response to Objection*, filed August 24, 1993, proposed no change in his recommendation.

On March 21, 1995, A&B, the United States and IDWR filed a *Standard Form 5* amending the claimant to be the United States. A *Preliminary Special Master's Report and Recommendation* was entered on May 16, 1996, and IDWR lodged its *Review of Preliminary Special Master's Report* on May 28, 1996.

**Conclusions of Law**

The United States is entitled to a partial decree adjudicating its water right under claim 36-13491 as described in the *Standard Form 5* and the *Preliminary Special Master's Recommendation for Partial Decree for Water Right 36-13491*.

DATED September 19, 1996.



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

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 )  
\_\_\_\_\_ )

PRELIMINARY

1996 SEP 20 AM 9:54  
SPECIAL MASTER'S RECOMMENDATION FOR  
DISTRICT COURT-5TH J.  
PARTIAL DECREE FOR TWIN FALLS CO, IDAHO  
Water Right 36-13491 FILED *[Signature]*

NAME & ADDRESS: UNITED STATES OF AMERICA  
DEPARTMENT OF INTERIOR  
BUREAU OF RECLAMATION  
1150 N CURTIS RD  
BOISE ID 83706-1234

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 08/22/1955

POINT OF DIVERSION: T08S R24E S05 NENENE Within MINIDOKA County

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

PLACE OF USE: DOMESTIC Within MINIDOKA County  
T08S R24E S05 NENE

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

*[Signature]*  
TERRENCE A. DOLAN  
Special Master  
Snake River Basin Adjudication

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SEP 23 1996

Department of Water Resources

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DISTRICT COURT-SRBA  
TWIN FALLS CO. IDAHO  
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

Case No. 39576

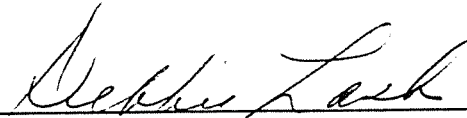
) Subcase: 36-13491

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

On September 20, 1996, Special Master Terrence A. Dolan issued an *Amended Preliminary Special Master's Report and Recommendation* for subcase 36-13491 pursuant to *SRBA Administrative Order 1*, sections 11 (e) and (f).

The *Amended Preliminary Special Master's Report and Recommendation* is served only on parties to the subcase and is not served on the Presiding Judge. Parties to this subcase may file a *Motion to Reconsider* or a *Motion to Correct Clerical Errors* with the Special Master, but must do so within 10 days after receipt of the *Amended Preliminary Special Master's Report and Recommendation*.

DATED: September 20, 1996.

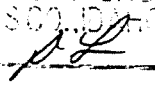
  
Deputy Clerk

RECEIVED

SEP 23 1996

Department of Water Resources

1996 SEP 20 AM 9: 54

DISTRICT COURT-SRBA  
TWIN FALLS CO., IDAHO  
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: 36-13491

Case No. 39576

) CERTIFICATE OF MAILING

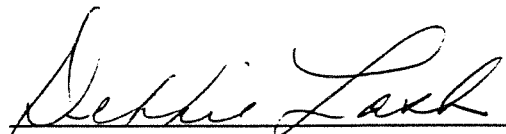
I certify that a true and correct copy of the *Amended Preliminary Special Master's Report for Subcase 36-13491* and *Notice of Issuance of Amended Preliminary Special Master's Report and Recommendation* were mailed on September 20, 1996 with sufficient first-class postage prepaid to the following:

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, Idaho 83720-0098

United States Department of Justice  
Environment and Natural Resource Division  
550 West Fort Street, MSC 033  
Boise, Idaho 83724-0663

Roger D Ling  
Ling, Nielsen & Robinson  
P O Box 396  
Rupert, Idaho 83350

  
Deputy Clerk