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Department of Water Resources

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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: 36-14805A

Case No. 39576

)
) PRELIMINARY SPECIAL
) MASTER'S REPORT
)

Findings of Fact

Gary D. Stokes filed a *Notice of Claim to a Water Right* for 36-14805 on April 6, 1990, claiming .06 cfs of groundwater for domestic and stock 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 Nancy and Carl Jackson as the claimants of 36-14805A entitled to only .04 cfs.

Carl and Nancy Jackson and Carl and Christine Jackson filed an *Objection* on March 22, 1993, stating that they owned $\frac{1}{3}$ interest in a domestic community well, but sold a $\frac{1}{3}$ interest in the well on September, 1992. Attached was a *Notice of Change of Water Right Ownership* for 36-14805A describing the new owners/claimants as Stuart E. Williams and Diane C. Oden, 304 East, 350 North, Jerome, Idaho 83338. The Director's *Response to Objection*, filed September 10, 1993, proposed describing Williams and Oden as claimants of .02 cfs for domestic use, but under 36-14805D.

On July 11, 1995, Williams and Oden, Carl and Nancy Jackson and IDWR filed a *Standard Form 5* for 36-14805A describing Williams and Oden as the claimants of .06 cfs for domestic and stockwater uses.

Conclusions of Law

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

SEP 20 1996
SPECIAL MASTER'S RECOMMENDATION FOR

PARTIAL DECREE FOR DISTRICT COURT-5th

Water Right 36-14805A
TWIN FALLS CO. IDAHO
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NAME & ADDRESS: STUART WILLIAMS
DIANE C ODEN
304 E 350 N
JEROME ID 83338

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

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

USE OF THIS RIGHT WITH RIGHT NOS. 36-14805B AND 36-14574 IS
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.06 CFS.

PRIORITY DATE: 06/29/1930

POINT OF DIVERSION: T07S R17E S34 SWSNW Within JEROME County

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

PLACE OF USE:	STOCKWATER	Within JEROME County
	T07S R17E S34	SWNW
	DOMESTIC	Within JEROME County
	T07S R17E S34	SWNW

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
Special Master
Snake River Basin Adjudication

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DISTRICT COURT-5TH JUDICIAL DISTRICT
TWIN FALLS CO. ID
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)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 36-14805A

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

CARL E. JACKSON
JACKSON, NANCY
819 16TH AVE EAST
JEROME, ID 83338

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

Debbie Lash

DEBBIE LASH

CERTIFICATE OF MAILING

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09/20/96

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DISTRICT COURT - 5th
TWIN FALLS COUNTY
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)
Case No. 39576)
_____)

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

Water Right(s): 36-14805A

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

DEBBIE LASH
Deputy Clerk