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1998 APR -8 AM 11:04

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)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

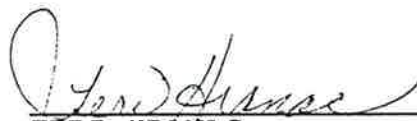
Water Right(s): 36-15511

On April 08, 1998, Special Master TERRENCE A. DOLAN issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED April 08, 1998.


TERI HRANAC
Deputy Clerk

1998 APR -8 AM 11: 04

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

In Re SRBA) Subcase 36-15511
)
Case No. 39576) SPECIAL MASTER'S REPORT
)
)

Findings of Fact

Dairy West Associates filed a *Notice of Claim to a Water Right* under 36-10815 on September 1, 1988, claiming .52 cfs of groundwater for domestic and commercial uses with a priority date of January 1, 1930, 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 3 (Basin 36)* recommending only .04 cfs for domestic use.

Dairy West filed its *Objection* on April 29, 1993, objecting to name and address, quantity, purpose of use, place of use, consumptive use and other. The Director's *Response to Objection*, filed September 9, 1993, proposed no changes to the recommendation.

On January 19, 1996, Farm Credit Services filed a *Standard Form 3* as the claimant/purchaser. Then, on April 22, 1996, F.F. and Irene Gunning filed another *Standard Form 3* as the new claimants/purchasers.

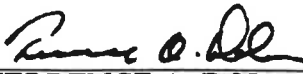
On August 14, 1997, IDWR lodged its *Director's Supplemental Report Regarding Claim to Water Right No. 36-15511*. The *Supplemental Report* stated that during the settlement process, "IDWR found the existence of this beneficial use water right no. 36-15511 that had previously been claimed as part of water right no. 36-10815."

On October 15, 1997, F.F., Irene, G.C. and Susan Gunning, Box 821, Wendell, Idaho 83355, and IDWR filed a *Standard Form 5* for 36-15511.

Conclusions of Law

F.F., Irene, G.C. and Susan Gunning are entitled to a partial decree adjudicating a water right under claim 36-15511 as described in the *Standard Form 5* and the *Special Master's Recommendation for Partial Decree for Water Right 36-15511*.

DATED April 8, 1998.


TERRENCE A. DOLAN
Special Master
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)

SPECIAL MASTER'S RECOMMENDATION FOR

PARTIAL DECREE FOR

Water Right 36-15511

1998 APR -8 AM 11:04

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME & ADDRESS:

F F GUNNING
IRENE GUNNING
G C GUNNING
SUSAN GUNNING
PO BOX 821
WENDELL ID 83355

SOURCE:

GROUNDWATER

QUANTITY:

0.19 CFS
20.5 AFY

PRIORITY DATE:

03/24/1963

POINT OF DIVERSION:

TOTS R15E S34

SWNE

Within GOODING County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

COMMERCIAL

PERIOD OF USE

01-01 12-31

01-01 12-31

QUANTITY

0.15 CFS

16.0 AFY

0.04 CFS

4.5 AFY

PLACE OF USE:

STOCKWATER
TOTS R15E S34

Within GOODING County
NENE

COMMERCIAL
TOTS R15E S34

Within GOODING County
NENE

DATED:

TERRENCE A. DOLAN
Special Master
Snake River Basin Adjudication

RECOMMENDATION

APR 8 1998



SPECIAL MASTER

SPECIAL MASTER'S RECOMMENDATION
Water Right 36-15511

1998 APR -8 AM 11: 04

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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 36-15511

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on April 08, 1998, with sufficient first-class postage prepaid to the following:

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

F.F. & IRENE GUNNING
GINNING, G.C. & SUSAN
P O BOX 821
WENDELL, ID 83355



TERI HRANAC
Deputy Clerk

CERTIFICATE OF MAILING

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04/08/98