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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

) Subcase: 36-00035B

Case No. 39576

)
) PRELIMINARY MASTER'S REPORT
) AND RECOMMENDATION
)
)

FINDING OF FACT

Fred and Joyce Sturtevant filed their *Notice of Claim to a Water Right Acquired Under State Law* on August 24, 1988, claiming .6 cfs of water from Billingsley Creek to irrigate 13 acres based on the 1932 *New International Mortgage Bank* decree. 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 .3 cfs.

On May 3, 1993, the claimants filed their *Objection* to quantity. The Director's *Response to Objection* filed September 10, 1993, proposed no change to his recommendation. The claimants and IDWR filed a *Standard Form 5* on September 6, 1995.

CONCLUSIONS OF LAW

The claimants are entitled to a water right as described in the *Standard Form 5*.

RECOMMENDATION

It is recommended that Fred and Joyce Sturtevant be adjudicated the following water right under claim 36-00035B:

Name and address of claimants:

Fred and Joyce Sturtevant
868 East, 2830 South
Hagerman, ID 83332

Source of water:

Billingsley Creek

Quantity of water used:

.6 cfs

.13 cfs of this right is limited to use for conveyance losses in delivery of this right.

Date of priority:

September 10, 1884

Point of diversion:

**T 7S, R 13E, § 11, B.M., Gooding County, Idaho,
SE¼SE¼NE¼**

Water is delivered through the Buckeye Ditch.

Purpose of use:

Irrigation

Period of use:

Irrigation Season

Place of use:

**T 7S, R 13E, § 27, B.M., Gooding County, Idaho,
NW¼NE¼- 13 acres**

Annual volume of consumptive use:

39 afy

Conditions on exercise of water right:

None

Remarks or other matters necessary for definition of the right, for clarification of any element of the right, or for administration of the right by the director:

None

DATED May 6, 1996.



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

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