

RECEIVED
MAY 15 1996
Department of Water Resources
Adjudication Bureau

1996 MAY 13 PM 4:28
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: 36-00018
	)	
Case No. 39576	)	AMENDED PRELIMINARY SPECIAL
	)	MASTER'S REPORT &
	)	RECOMMENDATION
_____	)	

FINDING OF FACT

On September 1, 1988, Buckeye Farms, Inc. filed its *Notice of Claim to a Water Right* claiming 20 cfs of water from Billingsley Creek to irrigate 790 acres based on the 1932 *New International Mortgage Bank Decree*. The Director of the Idaho Department of Water Resources filed his *Director's Report for Reporting Area 3 (Basin 36)* on November 2, 1992, recommending 20 cfs for 466 acres.

On April 30, 1993, the claimant filed its *Objection* to period of year, place of use and remarks. The claimant and IDWR filed a *Standard Form 5* on September 13, 1995.

CONCLUSIONS OF LAW

The claimant is entitled to a water right as described in the *Standard Form 5*.

RECOMMENDATION

It is recommended that Buckeye Farms, Inc., be adjudicated the following water right under claim no. 36-00018:

Name and address of claimant:

Buckeye Farms, Inc.
18335 U.S. Hwy 30
Hagerman, ID 83332

Source of water:

Billingsley Creek

Quantity of water used:

20 cfs

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

Date of priority:

April 1, 1917

Point of diversion:

**T 7S, R 14E, § 31, B.M., Gooding County, Idaho,
NE¼SW¼NE¼**

Water is delivered through Curren Ditch, North Pipe and South Pipe.

Purpose of use:

Irrigation

Period of use:

Irrigation Season

Place of use:

T 7S, R 13E, B.M., Gooding County, Idaho,

§ 23: NE¼SW¼ -32 acres

NW¼SW¼ -35 acres

SW¼SW¼ -40 acres

SE¼SW¼ -34 acres

§ 26: NE¼NW¼ -10 acres

NW¼NW¼ -22 acres

SE¼NW¼ -21 acres

NE¼SW¼ -19 acres

SE¼SW¼ -16 acres

NW¼SE¼ -6 acres

SW¼SE¼ -22 acres

SE¼SE¼ -12 acres

§ 35: NE¼NE¼ -8 acres

NW¼NE¼ -9 acres

SW¼NE¼ -38 acres

SE¼NE¼ -9 acres

NE¼NW¼ -15 acres

NW¼NW¼ -2 acres

SE¼NW¼ -37 acre

NE $\frac{1}{4}$ SW $\frac{1}{4}$ -40 acres
NE $\frac{1}{4}$ SE $\frac{1}{4}$ -19 acres
NW $\frac{1}{4}$ SE $\frac{1}{4}$ -37 acres
483 acres- total

Use of this right, with right 36-00015, is limited to the irrigation of a combined total of 483 acres in a single irrigation season.

Annual volume of consumptive use:

Use of this right, with right 36-00015, is limited to a total combined annual consumptive use volume of 1,449 af.

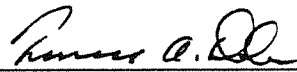
Conditions on exercise of water right:

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 13, 1996.



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