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Department of Water Resources

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DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED *OK*

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: 36-12233

Case No. 39576

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

Finding of Fact

Devon and Irene Hunsaker filed their *Notice of Claim to a Water Right* on approximately February 12, 1993, claiming .13 cfs of groundwater for domestic and stock uses 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 claim as filed.

The United States of America, Department of the Interior, Bureau of Reclamation, filed its *Objection* on April 30, 1993, objecting to points of diversion and place of use. The Director's *Response to Objection* filed August 31, 1993, proposed correcting the legal descriptions of point of diversion and place of use.

On January 5, 1995, the claimants, the United States and IDWR filed a *Standard Form 5*.

Conclusions of Law

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

Recommendation

It is recommended that Devon and Irene Hunsaker be adjudicated the following water right under claim 36-12233:

Name and address of claimants:
Devon and Irene Hunsaker
Route 1, Box 107A
Rupert, ID 83350

Source of water:
Groundwater

Quantity of water used:
.13 cfs

Date of priority:
August 13, 1947

Point of diversion:
T 10S, R 24E, § 15, B.M., Minidoka County, Idaho,
NW¼NW¼

Purpose of use:
Domestic and stockwater

Period of use:
January 1 to December 31

Place of use:
T 10S, R 24E, § 15, B.M., Minidoka County, Idaho,
NW¼NW¼

Parcel No. RP 10S24E153000, 425 S 100 E.

Annual volume of consumptive use:
N/A

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 22, 1996.



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