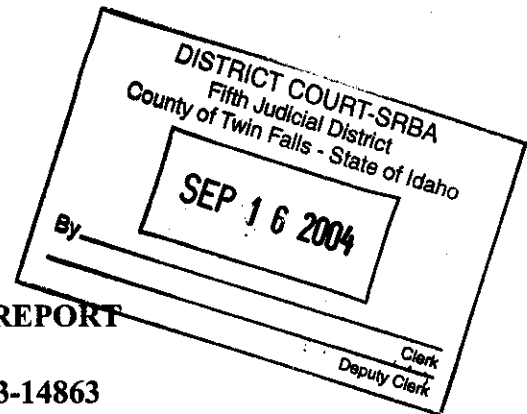


COPY



**SUPPLEMENTAL DIRECTOR'S REPORT**

**Water Right Nos. 33-14862 and 33-14863  
(Formerly Subcase No. 33-10694)**

In Re SRBA  
Twin Falls County Civil Case No. 39576

RECEIVED

SEP 1 2004  
DEPARTMENT OF  
WATER RESOURCES

RECEIVED

SEP 21 2004  
DEPARTMENT OF  
WATER RESOURCES

Report to the SRBA District Court

Prepared by the Idaho Department of Water Resources  
Karl J. Dreher, Director  
David R. Tuthill, Jr., Adjudication Bureau Chief

September 16, 2004

## DESCRIPTIVE SUMMARY

This is a Supplemental Director's Report submitted by the Director of the Idaho Department of Water Resources (IDWR).

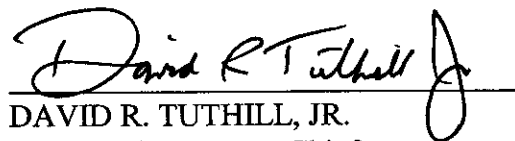
## DISCUSSION

Pursuant to the Judge Melanson's *ORDER REQUIRING FILING OF AMENDED CLAIM; AMENDED ABSTRACT FOR FEDERAL CLAIM; and ORDER SETTING SUBCASE DEADLINES* dated August 19, 2004, the Director submits for filing with the Court, a Supplemental Director's Report for the aforementioned water rights.

IDWR notes that it has numbered the split of recommended water right 33-10649 differently than was presented by the claimant. The stockwater use claimed as water right 33-10649A is renumbered to water right 33-14862. The recreational use claimed as water right 33-10649B is renumbered to water right 33-14863. IDWR further notes that the location and source of water rights 33-14862 and 33-14863 lies within Custer County rather than Lemhi County as claimed.

Since IDWR neither investigates nor recommends water rights established under federal law pursuant to I.C. § 42-1411A(12), it has no knowledge of, nor opinion regarding, the validity of the federal basis or elements of the rights claimed.

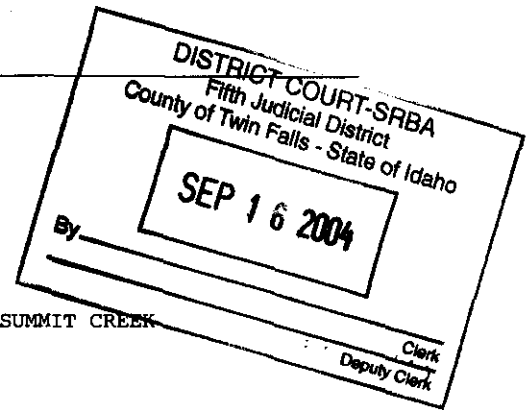
Respectfully submitted this 16<sup>th</sup> day of Sept, 2004.

  
DAVID R. TUTHILL, JR.  
Adjudication Bureau Chief

09/15/2004

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT CLAIM BASED ON FEDERAL LAW

RIGHT NUMBER: 33-14862  
NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH  
USDI BUREAU OF LAND MANAGEMENT  
IDAHO STATE OFFICE  
1387 S VINNELL WAY  
BOISE ID 83709-1657



SOURCE: BARNEY HOT SPRINGS TRIBUTARY: SUMMIT CREEK

QUANTITY: 0.020 CFS  
THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED  
13,000 GALLONS PER DAY.

PRIORITY DATE: 04/17/1926  
\* 4/17/1926 CLAIMED UNDER FEDERAL RESERVED WATER RIGHT.\*  
THIS WATER RIGHT IS ALSO CLAIMED BASED ON FEDERAL LAW WITH AN APRIL  
17, 1926, DATE OF PRIORITY PURSUANT TO AN EXECUTIVE ORDER SIGNED THE  
SAME DATE AND KNOWN AS PUBLIC WATER RESERVE 107.

POINT OF  
DIVERSION: T11N R25E S23 NWNESE Within CUSTER County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| STOCKWATER            | 1/01 12/31           | 0.020 CFS       |

PLACE OF USE: STOCKWATER Within CUSTER County  
T11N R25E S23 NESW

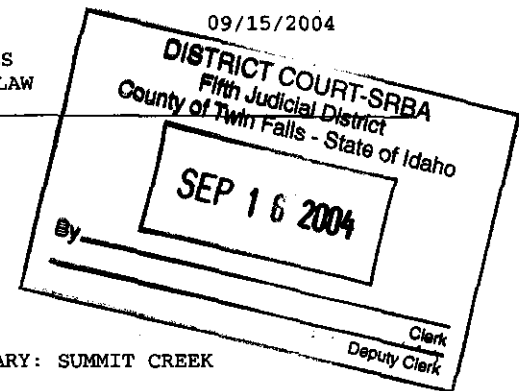
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A  
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Reserved  
BLM RECORD ID = 3304682829A BARNEY HOT SPRING

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT CLAIM BASED ON FEDERAL LAW

RIGHT NUMBER: 33-14863  
NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH  
USDI BUREAU OF LAND MANAGEMENT  
IDAHO STATE OFFICE  
1387 S VINNELL WAY  
BOISE ID 83709-1657



SOURCE: BARNEY HOT SPRINGS TRIBUTARY: SUMMIT CREEK

QUANTITY: 1.500 CFS

PRIORITY DATE: 07/07/1930

\* 7/07/1930 CLAIMED UNDER FEDERAL RESERVED WATER RIGHT. \*  
THIS WATER RIGHT IS CLAIMED BASED ON FEDERAL LAW WITH AN JULY 7, 1930  
DATE OF PRIORITY PURSUANT TO AN EXECUTIVE ORDER NUMBER 5389 SIGNED  
THE SAME DATE AND KNOWN AS THE MEDICINAL SPRINGS PUBLIC WATER  
RESERVE.

POINT OF  
DIVERSION: T11N R25E S23 NWNESE Within CUSTER County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| RECREATION            | 01/01 12/31          | 1.500 CFS       |

PLACE OF USE: RECREATION Within CUSTER County  
T11N R25E S23 NESW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

EXPLANATORY MATERIAL: BASIS OF CLAIM - Reserved

BLM RECORD ID = 3304682829 BARNEY HOT SPRING MEDICINAL USE.

## CERTIFICATE OF MAILING

I certify that on this 16 day of September, 2004, I caused to be served a true and correct copy of the foregoing by the following method to:

1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
P.O. Box 2707  
Twin Falls, ID 83303-2707

☐ Overnight Mail  
☐ Regular Mail  
☐ Hand-Delivered  
☒ Facsimile

2. Copies to:

Chief, Natural Resources Division  
Office of the Attorney General  
P.O. Box 44449  
Boise, ID 83711-4449

☐ Overnight Mail  
☐ Regular Mail  
☒ Hand-Delivered  
☐ Facsimile

United States Department of Justice  
Environment & Natural Resources Div.  
550 W. Fort Street MSC 033  
Boise, ID 83724

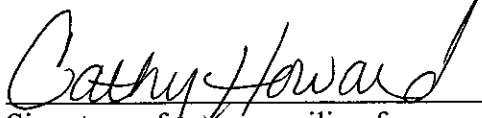
☐ Overnight Mail  
☒ Regular Mail  
☐ Hand-Delivered  
☐ Facsimile

Custer County Courthouse  
801 Main St.  
Challis, ID 83226

☐ Overnight Mail  
☒ Regular Mail  
☐ Hand-Delivered  
☐ Facsimile

IDWR Document Repository  
P.O. Box 83720  
Boise, ID 83720-0098

☐ Overnight Mail  
☐ Regular Mail  
☒ Hand-Delivered  
☐ Facsimile

  
\_\_\_\_\_  
Signature of person mailing form