

**AMENDED DIRECTOR'S REPORT**

**Subcase No. 31-11623**

**In Re SRBA**

**Twin Falls County Civil Case No. 39576**

**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**

**May 17, 2002**

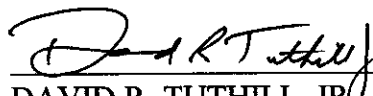
## DESCRIPTIVE SUMMARY

This is an Amended Director's Report submitted by the Director of the Idaho Department of Water Resources.

## DISCUSSION

Pursuant to Special Master Bilyeu's *Order Granting Motion To Amend Claim and Setting Subcase Deadline and Hearings on Record* issued March 27, 2002, the Director submits for filing with the Court, an Amended Director's Report for the aforementioned subcase. Subcase No. 31-11623 is an enlargement of uncontested Water Right No. 31-7016. The amended claim for Subcase No. 31-11623 changed the place of use of that water right to the same place of use for Water Right No. 31-7016. Therefore, the place of use has changed on this water right as well as some of the remarks. An Amended Director's Report for the uncontested Water Right No. 31-7016 was also filed today with the SRBA Court.

Respectfully submitted this 17<sup>th</sup> day of May, 2002.

  
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DAVID R. TUTHILL, JR.  
Adjudication Bureau Chief

04/26/2002

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 31-11623

NAME AND ADDRESS: WAHOO INC  
3930 E 2000 N  
SUGAR CITY ID 83448

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.14 CFS  
24.5 AFY

USE OF THIS RIGHT WITH RIGHT NO. 31-07016 IS LIMITED TO A TOTAL COMBINED  
DIVERSION RATE OF 5.52 CFS.

PRIORITY DATE: 04/01/1979

THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY  
DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS  
ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN  
WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426,  
IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.

POINT OF DIVERSION:

T06N R35E S12 SESESE Within JEFFERSON County

T06N R36E S7 SWNWSE Within JEFFERSON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>        |
|-----------------------|----------------------|------------------------|
| IRRIGATION            | 04/01 10/31          | 0.140 CFS<br>24.50 AFY |

PLACE OF USE:

IRRIGATION Within JEFFERSON County

|                     |      |      |                     |      |      |
|---------------------|------|------|---------------------|------|------|
| T06N R35E S13       | NENE | 40.0 | T06N R35E S13       | NWNE | 34.0 |
| T06N R35E S13       | SWNE | 34.0 | T06N R35E S13       | SENE | 34.0 |
| T06N R36E S18       | NWNE | 2.1  | T06N R36E S18       | SWNE | 1.9  |
| T06N R36E S18       | NENW | 36.0 | T06N R36E S18 Lot 1 | NWNW | 36.0 |
| T06N R36E S18 Lot 2 | SWNW | 30.0 | T06N R36E S18       | SENW | 35.0 |

283 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 31-7016 IS LIMITED TO THE IRRIGATION OF A  
COMBINED TOTAL OF 283 ACRES IN A SINGLE IRRIGATION SEASON.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS  
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT  
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY  
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE  
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 31-07016  
PURSUANT TO SECTION 42-1426, IDAHO CODE.

EXPLANATORY MATERIAL: Beneficial Use

THIS RIGHT IS FOR AN ENLARGEMENT OF 7.0 ACRES WITHIN THE PLACE  
OF USE DESCRIBED FOR THIS RIGHT.

USE OF WATER ON LANDS IN T6N, R36E, S18, NWNE AND SWNE IS PURSUANT TO  
STATE CROPLAND LEASE NO. C-8050.

## CERTIFICATE OF MAILING

I certify that on May 17, 2002, I mailed and/or delivered the original and copies of this form, including all attachments, to the following interested parties, by placing them in sealed envelopes, addressed as follows:

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 Resource Division  
Office of the Attorney General  
Box 83720  
Boise, ID 83720-0010

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

Ray Rigby  
Attorney for Wahoo, Inc.  
P.O. Box 250  
Rexburg, ID 83440-0250

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

Steven J. Schuster  
Attorney for IDL  
P.O. Box 83720  
Boise, ID 83720-0010

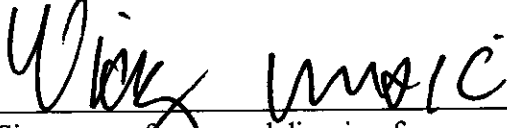
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David Negri  
Attorney for USFS  
550 W. Fort St., MSC 033  
Boise, ID 83724

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

Jefferson County Clerk  
P.O. Box 275  
Rigby, ID 83442

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

  
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Signature of person delivering form