

# AMENDED DIRECTOR'S REPORT

Subcase No. 22-12656

In Re SRBA

Twin Falls County Civil Case No. 39576

Report to the SRBA District Court

Prepared by the Idaho Department of Water Resources  
David R. Tuthill, Jr., Interim Director  
Donald V. Shaff, Adjudication Bureau Chief

March 12, 2007

### DESCRIPTIVE SUMMARY

Attached is an Amended Director's Report for water right no. 22-12656 submitted by the Director of the Idaho Department of Water Resources. Amended Director's Reports are also being filed simultaneously in subcase numbers 22-7287 and 22-7271 to accurately reflect the terms of the settlement of the objections in subcase numbers 22-7210, 22-7313A and 22-7313B.



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Ernest Carlsen  
Water Resources Program Manager

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

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RIGHT NUMBER: 22-12656  
NAME AND ADDRESS: DAVID V SCHWENDIMAN  
2573 N 15000 E HWY 33  
NEWDALE ID 83436  
  
MELANIE SCHWENDIMAN  
2573 N 15000 E HWY 33  
NEWDALE ID 83436

*EMC*

SOURCE: GROUND WATER                      TRIBUTARY:  
QUANTITY: 0.380 CFS  
73.30 AFY

Right Nos. 22-7287 and 22-12656 are limited to a total combined diversion rate of 5.12 cfs.

Use of this right with Right Nos. 22-7210, 22-7271, 22-7287, 22-7313A, 22-7313B, and 22-12656 is limited to a total combined diversion rate of 33.22 cfs and to a total combined annual diversion volume of 13,607.3 AF.

PRIORITY DATE: 01/17/1979

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:

T07N R42E S23 SESWSW Within MADISON County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>        |
|-----------------------|----------------------|------------------------|
| IRRIGATION            | 04/01 10/31          | 0.380 CFS<br>73.30 AFY |

PLACE OF USE:

IRRIGATION in MADISON County

|               |      |       |               |      |       |
|---------------|------|-------|---------------|------|-------|
| T07N R42E S21 | NENE | 7.00  | T07N R42E S21 | SENE | 32.00 |
| T07N R42E S21 | NESE | 38.00 | T07N R42E S22 | NENE | 14.00 |
| T07N R42E S22 | NWNE | 14.00 | T07N R42E S22 | SWNE | 4.20  |
| T07N R42E S22 | SWNE | 35.00 | T07N R42E S22 | SENE | 30.00 |
| T07N R42E S22 | SENE | 9.20  | T07N R42E S22 | NENW | 31.00 |
| T07N R42E S22 | NWNW | 31.00 | T07N R42E S22 | SWNW | 20.00 |
| T07N R42E S22 | SWNW | 20.00 | T07N R42E S22 | SENW | 40.00 |
| T07N R42E S22 | NESW | 17.00 | T07N R42E S22 | NWSW | 36.00 |
| T07N R42E S22 | NESE | 39.00 | T07N R42E S22 | NWSE | 39.00 |
| T07N R42E S23 | NWNW | 2.80  | T07N R42E S23 | SWNW | 29.00 |

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

|               |      |       |               |      |       |
|---------------|------|-------|---------------|------|-------|
| T07N R42E S23 | SESW | 3.10  | T07N R42E S23 | NESW | 13.00 |
| T07N R42E S23 | NESW | 11.00 | T07N R42E S23 | NWSW | 0.20  |
| T07N R42E S23 | NWSW | 39.00 | T07N R42E S23 | SWSW | 40.00 |
| T07N R42E S23 | SESW | 3.00  | T07N R42E S23 | SESW | 35.00 |
| T07N R42E S23 | SWSE | 12.00 |               |      |       |

644.5 ACRES TOTAL

Right Nos. 22-7210, 22-7271, 22-7287, 22-7313A, 22-7313B, and 22-12656 are limited to the irrigation of a combined total of 3887.8 acres in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 644.5 acres in a single irrigation season. Combined Right Nos.: 22-7287 and 22-12656.

*EMC*

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

Totalizing measuring devices shall be maintained at the point of diversion.

This right is based upon an enlargement of Right No. 22-7287 pursuant to Section 42-1426, Idaho Code.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right is for an enlargement of 44.5 acres within the place of use described for this right.

Right Nos. 22-7287 and 22-12656 are also diverted through point of diversion described above.

### CERTIFICATE OF SERVICE

I certify that on March 15, 2007, I served the original and/or copies of this form, including all attachments, to the following persons by delivering the original and/or copies, as follows:

1. Original to:

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

☒ U.S. Mail, Postage Prepaid  
☐ Facsimile  
☐ E-mail  
☐ Hand-Delivered

2. Copies to:

VAL E. SCHWENDIMAN FARMS, INC.  
9633 HWY 33  
NEWDALE, ID 83436

☒ U.S. Mail, Postage Prepaid  
☐ Facsimile  
☐ E-mail  
☐ Hand-Delivered

STATE OF IDAHO  
Represented by:  
NATURAL RESOURCES DIV CHIEF  
STATE OF IDAHO  
ATTORNEY GENERAL'S OFFICE  
PO BOX 44449  
BOISE, ID 83711-4449

☐ U.S. Mail, Postage Prepaid  
☐ Facsimile  
☐ E-mail  
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UNITED STATES OF AMERICA  
Represented by:  
US DEPARTMENT OF JUSTICE  
ENVIRONMENT & NATL' RESOURCES  
550 WEST FORT STREET, MSC 033  
BOISE, ID 83724

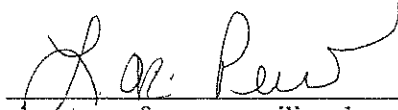
☒ U.S. Mail, Postage Prepaid  
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DIRECTOR OF IDWR  
P.O. BOX 83720  
BOISE, ID 83720-0098

☐ U.S. Mail, Postage Prepaid  
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MADISON COUNTY COURTHOUSE  
P.O. BOX 389  
REXBURG, ID 83440-0389

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signature of person mailing document