

COPY

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED
AMENDED DIRECTOR'S REPORT

2007 MAR 19 AM 10 51
Subcase No. 22-12656

In Re SRBA
Twin Falls County Civil Case No. 39576

RECEIVED
MAR 20 2007
DEPARTMENT OF
WATER RESOURCES

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.



Ernest Carlsen
Water Resources Program Manager

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

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 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

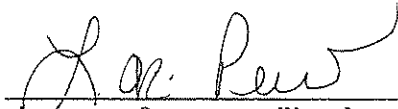
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DIRECTOR OF IDWR
P.O. BOX 83720
BOISE, ID 83720-0098

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MADISON COUNTY COURTHOUSE
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REXBURG, ID 83440-0389

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