



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

July 15, 2008

Clerk of the District Court
SRBA District Court
253 3rd Ave. N.
PO Box 2707
Twin Falls, ID 83303-2707

Re: Amended Claim/Director's Report in Accordance with Rule 10.f

Dear Clerk:

Please find attached an Amended Director's Report for water right no. 74-22. At the initial hearing for right 74-22, held May 9, 2007, an amended claim was filed by the claimant in accordance with Rule 10.f of Administrative Order 1. The attached Amended Director's Report takes into consideration the amended claim. IDWR did delay reporting this amendment to allow for the advertising and reporting of the related enlargement right, 74-15767. The objection period for the recommendation of right 74-15767 closed on July 2, 2008 with no objections filed.

Please set objection and response deadlines for the attached Amended Director's Report as the original objection and response deadlines set in Basin 74 have already run.

If you have any questions regarding this Amended Director's Report, do not hesitate to contact me.

Sincerely,

Donald V. Shaff
Adjudication Bureau Chief

Encl.
CC: Kent Foster / Rob Harris
Steve Spencer
US DOJ

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

RIGHT NUMBER: 74-22

NAME AND ADDRESS: RAY L KAGEL JR
3879 E 200 N
RIGBY ID 83442

CHARLES E LIEBRECHT
3879 E 200 N
RIGBY ID 83442

NANCY J KAGEL
3879 E 200 N
RIGBY ID 83442

SOURCE: BIG BEAR CREEK
HAWLEY CREEK

TRIBUTARY: HAWLEY CREEK
TRIBUTARY: EIGHTEENMILE CREEK

QUANTITY: 2.000 CFS

Right Nos. 74-22 and 74-15767 are limited to a total combined diversion rate of 2.00 cfs.

PRIORITY DATE: 04/01/1914

POINT OF
DIVERSION:

T16N R28E S31 NWNW Within LEMHI County
T16N R28E S32 NWSW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	2.000 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T16N R27E S36	NENE	0.02	T16N R27E S36	SENE	13.60
T16N R27E S36	NESE	0.82	T16N R28E S31	NENW	4.05
T16N R28E S31	NWNW	0.88	T16N R28E S31	SWNW	26.27
T16N R28E S31	SENW	13.66			

59.3 ACRES TOTAL

Place of use does not include federal lands and is within HES 543

Right Nos. 74-22 and 74-15767 are limited to the irrigation of a combined total of 59.3 acres in a single irrigation season.

This right is limited to the irrigation of 40.4 acres within the place of use described above 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right No. 74-15767 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

Point of diversion in T16N, R28E, S31 is within HES 543.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.