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**DEPARTMENT OF  
WATER RESOURCES**

**AMENDED DIRECTOR'S REPORT**

**Subcase No. 37-457A**

In Re SRBA

Twin Falls County Civil Case No. 39576

DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED  
2008 SEP 29 AM 11 29

Report to the SRBA District Court

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

September 25, 2008

## DESCRIPTIVE SUMMARY

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

## DISCUSSION

Pursuant to the Special Master's instructions issued during the initial hearing held September 17, 2008, the Director submits for filing with the Court, an Amended Director's Report for subcase 37-457A.

Respectfully submitted this 25<sup>th</sup> day of September, 2008.

  
DONALD V. SHAFF  
Adjudication Bureau Chief

AMENDED DIRECTOR'S REPORT

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

RIGHT NUMBER: 37-457A

NAME AND ADDRESS: DAVID M. BERENSON, PHILIP ZIMET AND DOUGLAS BRADSHAW, TRUSTEES  
1 ASHBURN PLACE  
FAIR LAWN NJ 07410

SOURCE: TRAIL CREEK

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 0.420 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/01/1883

POINT OF  
DIVERSION:

T04N R18E S7 SWSE Within BLAINE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 04/15 10/31          | 0.420 CFS       |
| STOCKWATER            | 01/01 12/31          | 0.020 CFS       |

PLACE OF USE: IRRIGATION in BLAINE County

T04N R18E S19 NENW 5.00

STOCKWATER same as IRRIGATION

5 ACRES TOTAL

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.

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 37-457.

A portion of Right 37-457A is used for conveyance loss.

## CERTIFICATE OF SERVICE

I certify that on Sept. 26, 2008, I caused to be served a true and correct copy of this Amended Director's Report, to the following persons, in the manner indicated and 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 Resources Div.  
Office of the Attorney General  
P.O. Box 44449  
Boise, ID 83711-4449

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☐ Regular Mail  
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☐ 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

Blaine County Courthouse  
201 2<sup>nd</sup> Ave S. Ste 110  
Hailey, ID 83333

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David M. Berenson,  
Philip Zimet,  
Douglas Bradshaw Trustees  
1 Ashburn Place  
Fair Lawn, NJ 07410

☐ Overnight Mail  
☒ Regular Mail  
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☐ Facsimile

Thomas M. Robertson  
Coleman, Ritchie & Robertson  
P.O. Box 525  
Twin Falls, ID 83303

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

Travis L. Thompson  
Paul Arrington  
Barker, Rosholt & Simpson, LLP  
P.O. Box 485  
Twin Falls, ID 83303

☐ Overnight Mail  
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Deseree Kramer

Signature of person delivering form