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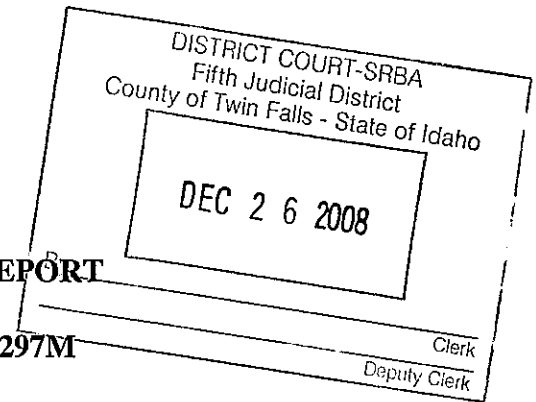
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DEPARTMENT OF
WATER RESOURCES

AMENDED DIRECTOR'S REPORT

Subcase Nos. 37-28J and 37-297M



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, Director
Donald V. Shaff, Adjudication Bureau Chief

December 23, 2008

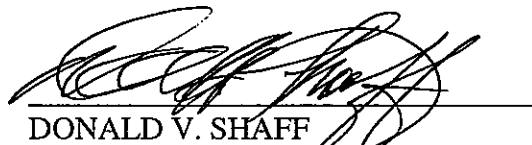
DESCRIPTIVE SUMMARY

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 *Order Granting Motion to File Amended Notice of Claim, Setting Subcase Deadlines and Status Conference* dated October 2, 2008, the Director submits for filing with the Court an Amended Director's Report for the aforementioned subcases.

Respectfully submitted this 23rd day of December, 2008.


DONALD V. SHAFF
Adjudication Bureau Chief

AMENDED DIRECTOR'S REPORT

12/23/2008

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

RIGHT NUMBER: 37-28J

NAME AND ADDRESS: THOMAS A KENNEDY
PO BOX 2773
KETCHUM ID 83340

DEBORAH M KIRBY
PO BOX 2773
KETCHUM ID 83340

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.040 CFS

Right Nos. 37-28J and 37-297M are diverted into a pond with a storage capacity of 0.87 AF, and are limited to a total combined annual volume of 1.34 AF for aesthetic storage.

PRIORITY DATE: 03/24/1883

POINT OF DIVERSION:

T03N R18E S20 SWNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
AESTHETIC STORAGE	01/01 12/31	1.34 AFY
DIVERSION TO STORAGE	04/15 10/31	0.010 CFS
IRRIGATION	04/15 10/31	0.030 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T03N R18E S33 SESW 1.20

AESTHETIC STORAGE in BLAINE County

T03N R18E S33 SESW

1.2 ACRES TOTAL

Right Nos. 37-28J and 37-297M are limited to the irrigation of a combined total of 1.2 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Property also known as LT 2, BLK 1 of Buckhorn Subdivision, First Addition.

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

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

12/23/2008

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

RIGHT NUMBER: 37-297M

NAME AND ADDRESS: THOMAS A KENNEDY
PO BOX 2773
KETCHUM ID 83340

DEBORAH M KIRBY
PO BOX 2773
KETCHUM ID 83340

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.080 CFS

Right Nos. 37-28J and 37-297M are diverted into a pond with a storage capacity of 0.87 AF, and are limited to a total combined annual volume of 1.34 AF for aesthetic storage.

PRIORITY DATE: 11/26/1886

POINT OF DIVERSION:

T03N R18E S20 SWNW 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	0.050 CFS
DIVERSION TO STORAGE	04/15 10/31	0.030 CFS
AESTHETIC STORAGE	01/01 12/31	1.34 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T03N R18E S33 SESW 1.20

AESTHETIC STORAGE in BLAINE County

T03N R18E S33 SESW

1.2 ACRES TOTAL

Right Nos. 37-28J and 37-297M are limited to the irrigation of a combined total of 1.2 acres in a single irrigation season.

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

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

Property also known as LT 2, BLK 1 of Buckhorn Subdivision, First Addition.

CERTIFICATE OF SERVICE

I certify that on 12/24, 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

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

United States Department of Justice
Environment & Natural Resources Div.
550 W. Fort Street MSC 033
Boise, ID 83724

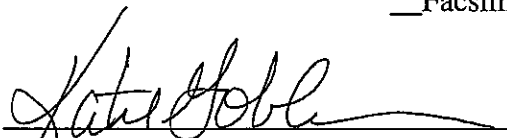
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Blaine County Courthouse
201 2nd Ave. S Ste 110
Hailey, ID 83333

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

James P. Speck
Speck Aanestad
P.O. Box 987
Ketchum, ID 83340

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Signature of person delivering form