

DISTRICT COURT - SRBA
AMENDED DIRECTOR'S REPORT FALLS CO., IDAHO

Subcase Nos. 73-00167, 73-02058, 73-10003 and 73-02169
FILED 2009 SEP 23 AM 10 17

In Re SRBA
Twin Falls County Civil Case No. 39576

Report to the SRBA District Court

Prepared by the Idaho Department of Water Resources
Gary Spackman, Interim Director
Donald V. Shaff, Adjudication Bureau Chief

September 17, 2009

DESCRIPTIVE SUMMARY

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

DISCUSSION

Pursuant to the *Order Setting Deadlines* issued by Special Master Dolan on September 1, 2009, the Interim Director submits for filing with the Court, an Amended Director's Report for the aforementioned subcase (see attached print-out).

A handwritten signature in black ink, appearing to read 'Donald V. Shaff', is written over a horizontal line.

DONALD V. SHAFF
Adjudication Bureau Chief

CERTIFICATE OF SERVICE

I certify that on 9/22, 2009, 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
PO Box 2707
Twin Falls Idaho 83303-2707

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

2. Copies to:

JUDI A WHITTIER
LARRY D WHITTIER
HC 62 BOX 2161
MAY, ID 83253

DIRECTOR OF IDWR
PO BOX 83720
BOISE ID 83720-0098

CUSTER COUNTY COURTHOUSE
PO BOX 385
CHALLIS ID 83226

CLIVE STRONG
OFFICE OF THE ATTORNEY GENERAL
PO BOX 44449
BOISE ID 83711-4449

UNITED STATES DEPT OF JUSTICE
ENVIRONMENT & NATURAL RESOURCES DIV
550 W FORT ST MSC 033
BOISE ID 83724



Signature of person delivering form

09/17/2009

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

RIGHT NUMBER: 73-167

NAME AND ADDRESS: JUDI A WHITTIER
HC 62 BOX 2161
MAY ID 83253

LARRY D WHITTIER
HC 62 BOX 2161
MAY ID 83253

SOURCE: PAHSIMEROI RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 3.200 CFS

PRIORITY DATE: 01/04/1904

POINT OF DIVERSION:

T12N R24E S32 SWNW Within CUSTER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	3.200 CFS

PLACE OF USE: IRRIGATION in CUSTER County

T12N R24E S21	NENE	3.30	T12N R24E S21	NWNE	33.00
T12N R24E S21	SWNE	40.00	T12N R24E S21	SENE	26.00
T12N R24E S21	NENW	40.00	T12N R24E S21	SENW	37.00

179.3 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 357.3 acres in a single irrigation season. Combined Right Nos.: 73-167, 73-2058, 73-2169, & 73-10003

The rights listed below are limited to the irrigation of a combined total of 179.3 acres in a single irrigation season. Combined Right Nos.: 73-167 & 73-2058.

This right is limited to the irrigation of 160.0 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 includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

09/17/2009

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

RIGHT NUMBER: 73-2058

NAME AND ADDRESS: JUDI A WHITTIER
HC 62 BOX 2161
MAY ID 83253

LARRY D WHITTIER
HC 62 BOX 2161
MAY ID 83253

SOURCE: PAHSIMEROI RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 1.320 CFS

PRIORITY DATE: 03/07/1910

POINT OF DIVERSION:

T12N R24E S32 SWNW Within CUSTER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.320 CFS

PLACE OF USE: IRRIGATION in CUSTER County

T12N R24E S21	NENE	3.30	T12N R24E S21	NWNE	33.00
T12N R24E S21	SWNE	40.00	T12N R24E S21	SENE	26.00
T12N R24E S21	NENW	40.00	T12N R24E S21	SENW	37.00

179.3 ACRES TOTAL

This right is limited to the irrigation of 66.0 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 357.3 acres in a single irrigation season. Combined Right Nos.: 73-167, 73-2058, 73-2169, & 73-10003

The rights listed below are limited to the irrigation of a combined total of 179.3 acres in a single irrigation season. Combined Right Nos.: 73-167 & 73-2058.

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 - License

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

09/17/2009

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

RIGHT NUMBER: 73-2169

NAME AND ADDRESS: JUDI A WHITTIER
HC 62 BOX 2161
MAY ID 83253

LARRY D WHITTIER
HC 62 BOX 2161
MAY ID 83253

SOURCE: PAHSIMEROI RIVER TRIBUTARY: SALMON RIVER

QUANTITY: 3.560 CFS

PRIORITY DATE: 04/25/1949

POINT OF DIVERSION:

T12N R24E S5 SWNW Lot 5 Rediversion Within CUSTER County
T12N R24E S8 NENW Rediversion Within CUSTER County
T12N R24E S17 SENE Injection Within CUSTER County
T12N R24E S32 SWNW Within CUSTER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	3.560 CFS

PLACE OF USE: IRRIGATION in CUSTER County

T12N R24E S05 Lot 3 NENW	30.00	T12N R24E S05 Lot 4 NWNW	40.00
T12N R24E S05 SENW	38.00	T12N R24E S05 NESW	40.00
T12N R24E S06 Lot 1 NENE	30.00		

178 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 357.3 acres in a single irrigation season. Combined Right Nos.: 73-167, 73-2058, 73-2169, & 73-10003

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 - License

09/17/2009

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

RIGHT NUMBER: 73-10003

NAME AND ADDRESS: LARRY D WHITTIER
HC 62 BOX 2161
MAY ID 83253

JUDI A WHITTIER
HC 62 BOX 2161
MAY ID 83253

SOURCE: PAHSIMEROI RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 4.630 CFS

PRIORITY DATE: 04/25/1949

POINT OF DIVERSION:

T12N R24E S5 SWNW Lot 5 Rediversion Within CUSTER County
T12N R24E S8 NENW Rediversion Within CUSTER County
T12N R24E S17 SENE Injection Within CUSTER County
T12N R24E S32 SWNW Within CUSTER County
T12N R24E S32 SWNW Within CUSTER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	4.630 CFS

PLACE OF USE: IRRIGATION in CUSTER County

T12N R24E S05 Lot 3 NENW	30.00	T12N R24E S05 Lot 4 NWNW	40.00
T12N R24E S05 SENW	38.00	T12N R24E S05 NESW	40.00
T12N R24E S06 Lot 1 NENE	30.00	T12N R24E S21 NENE	3.30
T12N R24E S21 NWNE	33.00	T12N R24E S21 SWNE	40.00
T12N R24E S21 SENE	26.00	T12N R24E S21 NENW	40.00
T12N R24E S21 SENW	37.00		

357.3 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 357.3 acres in a single irrigation season. Combined Right Nos.: 73-167, 73-2058, 73-2169, & 73-10003

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 - Beneficial Use