

AMENDED DIRECTOR'S REPORT

Subcase Nos. 73-00036B, 73-00061, 73-02052A, 73-02052B,
73-04028, 73-04083, 73-04086 and 73-10066

DISTRICT COURT - SRBA
TWIN FALLS CO. IDAHO
FILED

2009 OCT 30 PM 12 42

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

October 21, 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 Granting Motion to Amend Claims and Order Setting Dates* 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 subcases (see attached print-outs).


DONALD V. SHAFF
Adjudication Bureau Chief

CERTIFICATE OF SERVICE

I certify that on Oct 29, 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
P.O. Box 2707
Twin Falls, Idaho 83303-2707

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

2. Copies to:

UNITED STATES OF AMERICA

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

CLIVE STRONG
CHIEF, DIVISION OF NATURAL RESOURCES
OFFICE OF THE ATTORNEY GENERAL
PO BOX 44449
BOISE ID 83711-4449

LEMHI COUNTY COURTHOUSE
206 COURTHOUSE DRIVE
SALMON, ID 83467

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

GEORGE E SANTEE JR
PO BOX 2341
IDAHO FALLS, ID 83403-2341



Signature of person delivering form

10/27/2009

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

RIGHT NUMBER: 73-36B

NAME AND ADDRESS: GEORGE E SANTEE JR
PO BOX 2341
IDAHO FALLS ID 83403-2341

SOURCE: PATTERSON CREEK

TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 1.320 CFS

PRIORITY DATE: 10/01/1887

POINT OF DIVERSION:

T14N R22E S8 NWNW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 05/14	1.100 CFS
	05/15 07/09	1.320 CFS
	07/10 10/31	0.920 CFS
STOCKWATER	04/01 05/14	1.100 CFS
	05/15 07/09	1.320 CFS
	07/10 10/31	0.920 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T14N R21E S01 Lot 1 NENE	20.00	T14N R22E S06 Lot 3 NENW	3.30
T14N R22E S06 Lot 4 NWNW	19.00	T15N R21E S36 SESE	40.00
T15N R22E S31 Lot 4 SWSW	40.00	T15N R22E S31 SESW	17.00

STOCKWATER same as IRRIGATION

139.3 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 304.8 acres in a single irrigation season. Combined Right Nos.: 73-36B, 73-61, 73-2052A, 73-2052B, 73-4028, 73-4083, 73-4086, & 73-10066

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

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

Stockwater use incidental to irrigation and is for 500 range cattle.

Source is also known as Spring Creek, Big Spring Creek or O'Neal Creek.

10/16/2009

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

RIGHT NUMBER: 73-61

NAME AND ADDRESS: GEORGE E SANTEE JR
PO BOX 2341
IDAHO FALLS ID 83403-2341

SOURCE: MORSE CREEK

TRIBUTARY: PATTERSON CREEK

QUANTITY: 2.400 CFS

The appropriator is entitled to the quantity of water described above at the point of measurement in T15N, R22E, S31, NWNESE.

PRIORITY DATE: 06/01/1884

POINT OF DIVERSION:

T15N R22E S26 NWNE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	2.400 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T14N R21E S01 Lot 1 NENE	20.00	T14N R22E S06 Lot 2 NWNE	29.00
T14N R22E S06 Lot 3 NENW	3.30	T14N R22E S06 Lot 4 NWNW	19.00
T15N R21E S36 SESE	40.00	T15N R22E S31 SWNE	1.50
T15N R22E S31 NESW	39.00	T15N R22E S31 Lot 4 SWSW	40.00
T15N R22E S31 SESW	36.00	T15N R22E S31 NWSE	39.00
T15N R22E S31 SWSE	38.00		

304.8 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 304.8 acres in a single irrigation season. Combined Right Nos.: 73-36B, 73-61, 73-2052A, 73-2052B, 73-4028, 73-4083, 73-4086, & 73-10066

This right is limited to the irrigation of 120.0 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.

10/16/2009

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

RIGHT NUMBER: 73-2052A

NAME AND ADDRESS: GEORGE E SANTEE JR
PO BOX 2341
IDAHO FALLS ID 83403-2341

SOURCE: PATTERSON CREEK TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 0.600 CFS

PRIORITY DATE: 10/18/1909

POINT OF DIVERSION:

T14N R22E S8 NWNW Within LEMHI County

T14N R22E S9 SWSW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.600 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T14N R21E S01 Lot 1 NENE	20.00	T14N R22E S06 Lot 2 NWNE	29.00
T14N R22E S06 Lot 3 NENW	3.30	T14N R22E S06 Lot 4 NWNW	19.00
T15N R21E S36 SESE	40.00	T15N R22E S31 SWNE	0.20
T15N R22E S31 NESW	39.00	T15N R22E S31 Lot 4 SWSW	40.00
T15N R22E S31 SESW	36.00	T15N R22E S31 NWSE	24.00
T15N R22E S31 SWSE	38.00		

288.5 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 304.8 acres in a single irrigation season. Combined Right Nos.: 73-36B, 73-61, 73-2052A, 73-2052B, 73-4028, 73-4083, 73-4086, & 73-10066

This right is limited to the irrigation of 30 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 - License

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

Source is also known as Big Spring Creek, Spring Creek or O Neal Creek.

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

10/16/2009

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

RIGHT NUMBER: 73-2052B

NAME AND ADDRESS: GEORGE E SANTEE JR
PO BOX 2341
IDAHO FALLS ID 83403-2341

SOURCE: PATTERSON CREEK TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 1.000 CFS

PRIORITY DATE: 08/18/1911

POINT OF DIVERSION:

T14N R22E S8 NWNW Within LEMHI County

T14N R22E S9 SWSW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.000 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T14N R21E S01 Lot 1 NENE	20.00	T14N R22E S06 Lot 2 NWNE	29.00
T14N R22E S06 Lot 3 NENW	3.30	T14N R22E S06 Lot 4 NWNW	19.00
T15N R21E S36 SESE	40.00	T15N R22E S31 SWNE	0.20
T15N R22E S31 NESW	39.00	T15N R22E S31 Lot 4 SWSW	40.00
T15N R22E S31 SESW	36.00	T15N R22E S31 NWSE	24.00
T15N R22E S31 SWSE	38.00		

288.5 ACRES TOTAL

This right is limited to the irrigation of 50 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 304.8 acres in a single irrigation season. Combined Right Nos.: 73-36B, 73-61, 73-2052A, 73-2052B, 73-4028, 73-4083, 73-4086, & 73-10066

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 point of diversion pursuant to Section 42-1425, Idaho Code.

Source is also known as Big Spring Creek, Spring Creek or O Neal Creek.

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

10/16/2009

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

RIGHT NUMBER: 73-4028

NAME AND ADDRESS: GEORGE E SANTEE JR
PO BOX 2341
IDAHO FALLS ID 83403-2341

SOURCE: MORSE CREEK

TRIBUTARY: PATTERSON CREEK

QUANTITY: 0.140 CFS

PRIORITY DATE: 04/01/1948

POINT OF DIVERSION:

T15N R22E S26 NWNE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.140 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T14N R21E S01 Lot 1 NENE	20.00	T14N R22E S06 Lot 2 NWNE	29.00
T14N R22E S06 Lot 3 NENW	3.30	T14N R22E S06 Lot 4 NWNW	19.00
T15N R21E S36 SESE	40.00	T15N R22E S31 SWNE	1.50
T15N R22E S31 NESW	39.00	T15N R22E S31 Lot 4 SWSW	40.00
T15N R22E S31 SESW	36.00	T15N R22E S31 NWSE	39.00
T15N R22E S31 SWSE	38.00		

304.8 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 304.8 acres in a single irrigation season. Combined Right Nos.: 73-36B, 73-61, 73-2052A, 73-2052B, 73-4028, 73-4083, 73-4086, & 73-10066

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

10/16/2009

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

RIGHT NUMBER: 73-4083

NAME AND ADDRESS: GEORGE E SANTEE JR
PO BOX 2341
IDAHO FALLS ID 83403-2341

SOURCE: WASTE WATER TRIBUTARY: SINKS

QUANTITY: 0.400 CFS

PRIORITY DATE: 04/19/1910

POINT OF DIVERSION:

T14N R22E S6 NENW Lot 3 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 11/01	0.400 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T14N R21E S01 Lot 1 NENE	2.10	T14N R22E S06 Lot 3 NENW	2.90
T14N R22E S06 Lot 4 NWNW	16.00		

21 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 304.8 acres in a single irrigation season. Combined Right Nos.: 73-36B, 73-61, 73-2052A, 73-2052B, 73-4028, 73-4083, 73-4086, & 73-10066

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

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

10/16/2009

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

RIGHT NUMBER: 73-4086

NAME AND ADDRESS: GEORGE E SANTEE JR
PO BOX 2341
IDAHO FALLS ID 83403-2341

SOURCE: WASTE WATER TRIBUTARY: SINKS

QUANTITY: 0.800 CFS

PRIORITY DATE: 04/01/1920

POINT OF DIVERSION:

T15N R21E S36 SESE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.800 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T15N R21E S36 SESE 37.00

37 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 304.8 acres in a single irrigation season. Combined Right Nos.: 73-36B, 73-61, 73-2052A, 73-2052B, 73-4028, 73-4083, 73-4086, & 73-10066

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

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

10/28/2009

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

RIGHT NUMBER: 73-10066

NAME AND ADDRESS: GEORGE E SANTEE JR
PO BOX 2341
IDAHO FALLS ID 83403-2341

SOURCE: PATTERSON CREEK TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 2.100 CFS

PRIORITY DATE: 04/01/1960

POINT OF DIVERSION:

T14N R22E S8 NWNW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	2.100 CFS
IRRIGATION	04/01 10/31	2.100 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T14N R21E S01 Lot 1 NENE	20.00	T14N R22E S06 Lot 3 NENW	3.30
T14N R22E S06 Lot 4 NWNW	19.00	T15N R21E S36 SESE	40.00
T15N R22E S31 Lot 4 SWSW	40.00	T15N R22E S31 SESW	17.00

STOCKWATER same as IRRIGATION

139.3 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 304.8 acres in a single irrigation season. Combined Right Nos.: 73-36B, 73-61, 73-2052A, 73-2052B, 73-4028, 73-4083, 73-4086, & 73-10066

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

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

Stockwater use is for 500 range cattle.

1.98 cfs of Right 73-10066 is used for conveyance losses for stockwater use from 11/1 to 3/31.

Source is also known as Big Spring Creek, Spring Creek or O Neal Creek.