

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
AUG 31 2010	
By _____	Clerk
_____	Deputy Clerk

CORRECTED AMENDED DIRECTOR'S REPORT**Subcase Nos. 37-1162 and 37-14273**

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
Carter Fritschle, Manager, Adjudication Section

August 31, 2010

DESCRIPTIVE SUMMARY

This is a Corrected 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 Amend Claim and Setting Subcase Deadlines* dated May 7, 2010, the Director submitted an Amended Director's Report for subcases 37-1162 and 37-14273 on May 28, 2010. Subsequently, errors were discovered in the GIS Place of Use Illustration (POU Illustration) and CDs that were submitted with the Amended Director's Report. The POU Illustration and CDs submitted with this Corrected Amended Director's Report accurately describe the digital boundary of water rights 37-1162 and 37-14273.

Respectfully submitted this 31st day of August, 2010.


CARTER FRITSCHLE
Manager, Adjudication Section

05/26/2010

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

RIGHT NUMBER: 37-1162

NAME AND ADDRESS: FISH CREEK RESERVOIR CO INC
C/O DOUG SURERUS
PO BOX 282
CAREY ID 83320

SOURCE: FISH CREEK TRIBUTARY: LITTLE WOOD RIVER

QUANTITY: 14,411.00 AFY

Right Nos. 37-1162 and 37-14273 are limited to a total combined annual diversion volume of 14411 AF.

PRIORITY DATE: 11/02/1922

POINT OF
DIVERSION:

T01N R22E S15 SWNNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION STORAGE	01/01 12/31	14,411.00 AFY
IRRIGATION FROM STORAGE	04/15 10/31	14,411.00 AFY

PLACE OF USE:

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

Place of Use is within Blaine County, and is on land irrigated by shareholders of the Fish Creek Reservoir Co Inc.

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

Some of the lands served by the company above the reservoir receive water in exchange with natural flow water. This exchange will be measured and distributed by the watermaster to assure no injury to users upstream or downstream of the reservoir.

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

Amended Director's Report

37-1162

05/26/2010

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

RIGHT NUMBER: 37-14273

NAME AND ADDRESS: FISH CREEK RESERVOIR CO INC
C/O DOUG SUREUS
PO BOX 282
CAREY ID 83320

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.400 CFS
1,738.00 AFY

Right Nos. 37-1162 and 37-14273 are limited to a total combined annual diversion volume of 14411 AF.

PRIORITY DATE: 05/23/1961

POINT OF
DIVERSION:

T01N R22E S11 SWNW Within BLAINE County
T01N R22E S11 NESW Within BLAINE County
T01N R22E S11 NWSE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION STORAGE	01/01 12/31	1,738.00 AFY
DIVERSION TO STORAGE	01/01 12/31	2.400 CFS
IRRIGATION FROM STORAGE	04/15 10/15	1,738.00 AFY

PLACE OF USE:

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

Place of Use is within Blaine County, and is on land irrigated by shareholders of the Fish Creek Reservoir Co Inc.

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

Some of the lands served by the company above the reservoir receive water in exchange with natural flow water. This exchange will be measured and distributed by the watermaster to assure no injury to users upstream or downstream of the reservoir.

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.

Amended Director's Report

37-14273



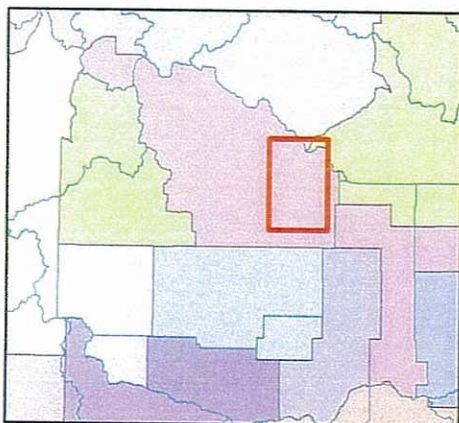
Fish Creek Reservoir Co Inc

Adjudication Recommendations: 37-1162, 37-14273

Irrigation Service Area Boundary
GIS Place of Use Illustration

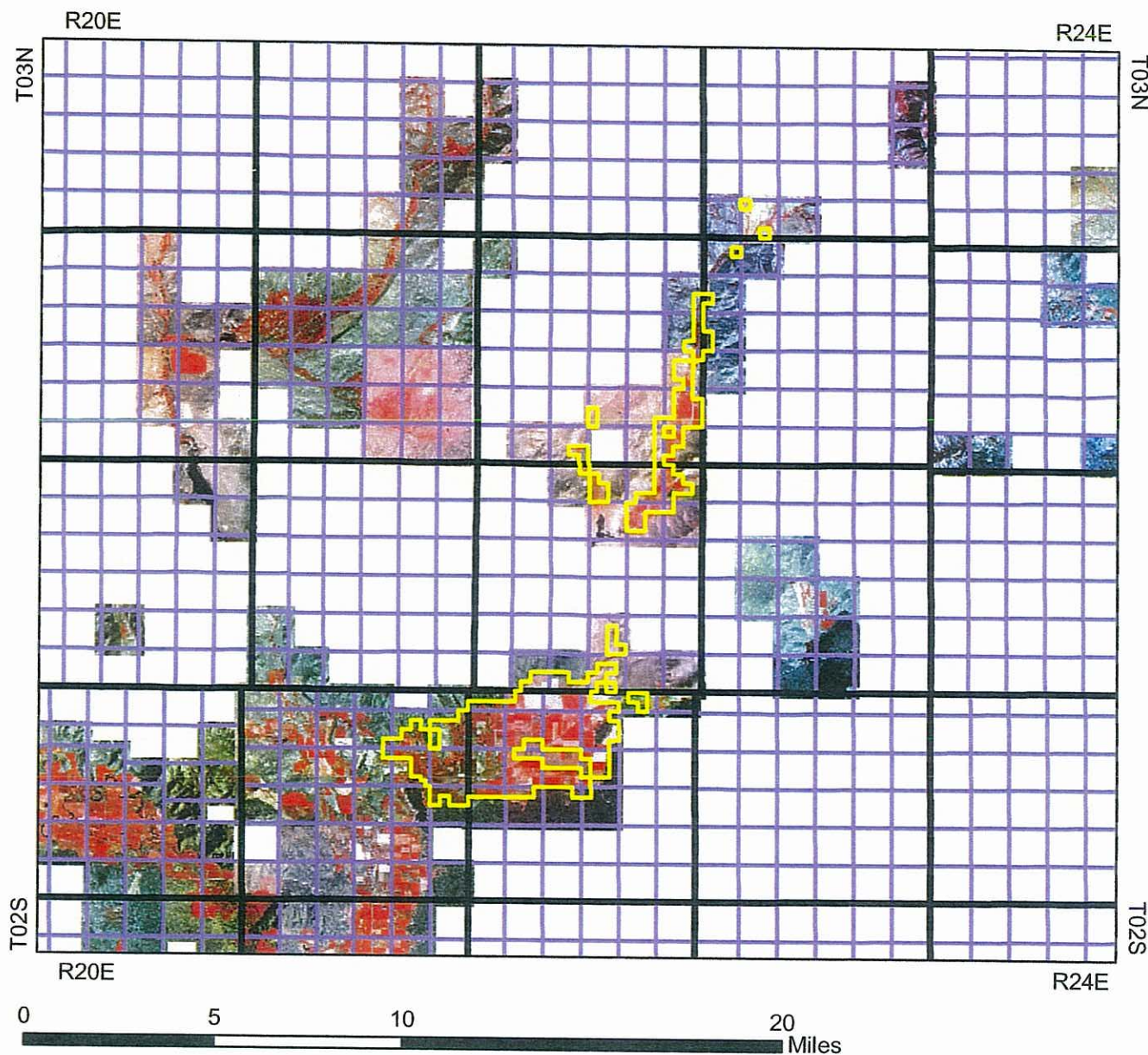
Legend

-  Service Area
-  State Outline
-  Townships
-  PLS Sections



Blaine County
IDWR Basin 37

Prepared by Ciscell, Michael
On August 25, 2010
1987/88 Aerial Photography



CERTIFICATE OF SERVICE

I certify that on August 31, 2010, 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

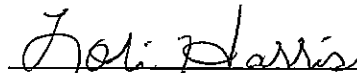
☐ Overnight Mail
☐ Regular Mail
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☐ Facsimile

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

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

Robert E. Williams
Fredericksen Williams
P.O. Box 168
Jerome, ID 83338

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


Signature of person delivering form