

AMENDED DIRECTOR'S REPORT
By _____
Subcase Nos. 37-296A, 37-717 and 37-1216

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
SEP 30 2010	
_____ Clerk	_____ Deputy Clerk

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

September 30, 2010

DESCRIPTIVE SUMMARY

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

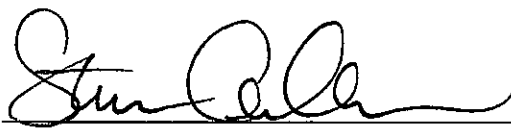
DISCUSSION

The Director submits the attached Amended Director's Report for subcases 37-296A, 37-717 and 37-1216 with the approval of Special Master Brigitte Bilyeu and the claimant, the City of Hailey. In the process of objection resolution, additional information involving these subcases has been considered by the Department. In order to assist the parties in narrowing the scope of possible trial issues, the Director felt the parties would be better served with this information available for consideration.

This Amended Director's Report corrects the period of use of water right 37-296A to the irrigation season of 04/15 to 10/31 rather than the 01/01 to 12/31 year round period of use as it was originally decreed as an irrigation right. In addition, clarifying language has been added to the priority date element of City of Hailey right 37-296A, which involves related water rights 37-296B and 37-296C, claimed by Indian Creek Ranch Owners Association Inc. Additional information on water rights 37-296B and 37-296C is provided in the Amended Director's Report in subcases 37-296B, 37-19740 and 37-21412, which is filed concurrently with this Report. The recommended quantity of water right 37-717 has been adjusted from the claimed and recommended amount of 1.830 cfs to 1.720 cfs, the quantity of water originally decreed. Finally, to more accurately describe the source of water rights 37-296A, 37-717 and 37-1216, the source is now identified as Indian Creek Spring instead of Indian Spring as originally claimed and recommended. The Director notes the recommendation of City of Hailey water right 37-7854

remains unchanged from the prior recommendation.

Respectfully submitted this 30 day of SEPTEMBER 2010.


for CARTER FRITSCHLE
Manager, Adjudication Section

09/17/2010

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

RIGHT NUMBER: 37-296A

NAME AND ADDRESS: CITY OF HAILEY
115 S MAIN ST #H
HAILEY ID 83333

SOURCE: INDIAN CREEK SPRING TRIBUTARY: INDIAN CREEK

QUANTITY: 2.620 CFS

PRIORITY DATE: 04/01/1880

Pursuant to a call in times of scarcity, this right is senior to Water Right Nos. 37-296B and 37-296C.

POINT OF
DIVERSION:

T03N R18E S23 SENW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	04/15 10/31	2.620 CFS

PLACE OF USE:

Place of use is within the service area of the City of Hailey municipal water supply system as provided for under Idaho Law.

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

09/17/2010

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

RIGHT NUMBER: 37-717

NAME AND ADDRESS: CITY OF HAILEY
115 S MAIN ST #H
HAILEY ID 83333

SOURCE: INDIAN CREEK SPRING

TRIBUTARY: INDIAN CREEK

QUANTITY: 1.720 CFS

PRIORITY DATE: 08/01/1907

POINT OF
DIVERSION: T03N R18E S23 SENW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	11/01 04/14	1.720 CFS

PLACE OF USE:

Place of use is within the service area of the City of Hailey municipal water supply system as provided for under Idaho Law.

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

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

RIGHT NUMBER: 37-1216

NAME AND ADDRESS: CITY OF HAILEY
115 S MAIN ST #H
HAILEY ID 83333

SOURCE: INDIAN CREEK SPRING

TRIBUTARY: INDIAN CREEK

QUANTITY: 0.900 CFS

PRIORITY DATE: 04/01/1884

POINT OF
DIVERSION: T03N R18E S23 SENW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	11/01 04/14	0.900 CFS

PLACE OF USE:

Place of use is within the service area of the City of Hailey municipal water supply system as provided for under Idaho Law.

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

CERTIFICATE OF SERVICE

I certify that on Sept. 30, 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
☐ Hand-Delivered
☐ Facsimile

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

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Gooding, ID 83330

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☐ Hand-Delivered
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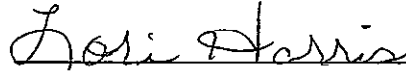
Randall C. Budge
Candice M. McHugh
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☐ Overnight Mail
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3. Courtesy copy to:

Dana L. Hoffstetter
Hoffstetter Law Office LLC
608 West Franklin St.
Boise, ID 83702

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



Signature of person delivering form