

DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
APR 28 2011	
By _____	Clerk
_____	Deputy Clerk

AMENDED DIRECTOR'S REPORT

Subcase Nos. 37-1198 and 37-22582 (Formerly 37-1200)
(Now Both Recommended as Water Right 37-22582)

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

April 28, 2011

DESCRIPTIVE SUMMARY

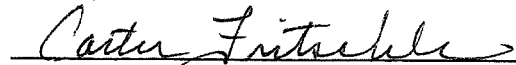
This is an Amended Director's Report submitted by the Director of the Idaho Department of Water Resources (IDWR).

DISCUSSION

Pursuant to the Special Master's *Order Granting Motion to File Amended Claim and Setting Subcase Deadlines* issued March 8, 2010, the Director submits this Amended Director's Report for subcases 37-1198 and 37-1200, now recommended as water right 37-22582.

Water rights 37-1198, 37-1200 and 37-1202 were decreed in *Joslyn v. Daly* (Blaine County, May 14, 1909) . All three rights were held by separate parties and used in a rotation delivery system where no one right was senior to the others. The water use originally decreed under right 37-1202 was eventually combined and claimed as right 37-1200 in the SRBA. In order to avoid confusion in IDWR records, right 37-1200 was recently renumbered to right 37-22582, which also includes the use described under 37-1198. Both rights 37-1198 and former right 37-1200, both owned by Alvin V. and Sally P. Shoemaker, share the identical source, points of diversion, places of use and priority date; they overlap in a manner that neither right could be separated from the other to be administered individually. IDWR believes combining the uses formerly described under water rights 37-1198 and 37-1200 totally into water right 37-22582 is a much cleaner description of the water use. Water rights 37-1198 and former right 37-1200 are now recommended for disallowal as the whole of both rights have been combined and are herein recommended as water right 37-22582.

Respectfully submitted this 28th day of April, 2011.


CARTER FRITSCHLE
Manager, Adjudication Section

01/31/2011

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
37-1198	ALVIN V SHOEMAKER PO BOX 1504 SUN VALLEY ID 83353	Disallowed	Recommended as Right No. 37-22582.
	SALLY P SHOEMAKER PO BOX 1504 SUN VALLEY ID 83353		

04/28/2011

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
37-1200	ALVIN V SHOEMAKER PO BOX 1504 SUN VALLEY ID 83353	Disallowed	Recommended as Right No. 37-22582.
	SALLY P SHOEMAKER PO BOX 1504 SUN VALLEY ID 83353		

01/28/2011

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

RIGHT NUMBER: 37-22582

NAME AND ADDRESS: ALVIN V SHOEMAKER
PO BOX 1504
SUN VALLEY ID 83353

SALLY P SHOEMAKER
PO BOX 1504
SUN VALLEY ID 83353

SOURCE: SEAMANS CREEK

TRIBUTARY: SINKS

QUANTITY: 4.330 CFS

PRIORITY DATE: 05/14/1909

POINT OF DIVERSION:

T02N R19E S32 SENWNE Within BLAINE County

T02N R19E S33 SENWNE 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	4.330 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T02N R19E S31	NENE	26.00	T02N R19E S31	SENE	15.00
T02N R19E S32	NENE	31.00	T02N R19E S32	NWNE	25.00
T02N R19E S32	SWNE	7.10	T02N R19E S32	NENW	28.00
T02N R19E S32	NWNW	33.00	T02N R19E S32	SWNW	3.00
T02N R19E S32	SENW	4.40	T02N R19E S33	NENW	18.00
T02N R19E S33	NWNW	26.00			

216.5 ACRES TOTAL

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 source pursuant to Section 42-1425, Idaho Code.

This right is renumbered from former combined rights 37-1200 & 37-1202. Claimed right 37-1198 has been combined into this right also.

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

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

CERTIFICATE OF SERVICE

I certify that on April 28, 2011, 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

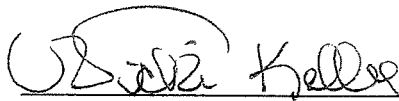
☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

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

☐ 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