

DISTRICT COURT - SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
JUL 29 2011	
By _____	Clerk
Deputy Clerk	

AMENDED DIRECTOR'S REPORT**Subcase No. 37-21357****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**

July 29, 2011

DESCRIPTIVE SUMMARY

This is an 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 File Amended Claim and Setting Subcase Deadlines* issued July 8, 2011, the Director submits for filing with the Court, an Amended Director's Report for subcase 37-21357.

Respectfully submitted this 29th day of July, 2011.

A handwritten signature in cursive script, reading "Carter Fritschle", written over a horizontal line.

CARTER FRITSCHLE
Manager, Adjudication Section

07/28/2011

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

RIGHT NUMBER: 37-21357

NAME AND ADDRESS: MARIANNE HOFSTETTER
19185 HWY 20
PICABO ID 83348

WALTER J HOFSTETTER
19185 HWY 20
PICABO ID 83348

SOURCE: SILVER CREEK TRIBUTARY: LITTLE WOOD RIVER

Water for this right resulted from developed water in Silver Creek.

QUANTITY: 0.020 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 03/29/1877

Pursuant to a call in times of scarcity, this right is senior to all other rights that did not result from saved or developed water in Silver Creek, as established, controlled by, and subject to the provisions within the Brett v. Chapman Decree (Lincoln County Case No. 2816, entered December 28, 1932).

POINT OF
DIVERSION:

T02S R20E S1 SENENE Lot 1 End of Stream Flow Within BLAINE County
T02S R20E S1 SENENW Lot 3 Begin of Stream Flow Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: STOCKWATER in BLAINE County

T02S R20E S01 Lot 1 NENE	T02S R20E S01 Lot 2 NWNE
T02S R20E S01 SWNE	T02S R20E S01 SENE
T02S R20E S01 Lot 3 NENW	

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 is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 37-1224.

This right is an instream stockwater use that originally was included within the decreed uses of right 37-1224A, but has been split from it so as not to include in-stream and diverted uses on a single water right.

Stockwater use is for 100 head of cattle.

CERTIFICATE OF SERVICE

I certify that on July 29TH, 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

Fritz X. Haemmerle
Haemmerle & Haemmerle PLLC
P.O. Box 1800
Hailey, ID 83333

☐ Overnight Mail
☒ Regular Mail
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Signature of person delivering form