

LATE CLAIM DIRECTOR'S REPORT

Subcase No. 63-33516

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

October 7, 2011

DESCRIPTIVE SUMMARY

This is a Late Claim Director's Report submitted by the Interim Director of the Idaho Department of Water Resources.

DISCUSSION

Pursuant to Judge Eric Wildman's *Order Conditionally Granting Late Notice of Claim; Order for Expedited Late Claim Director's Report and Setting Forth Procedures and Deadlines for Expedited Process* issued on August 17, 2011, and subsequent *Order Amending Deadlines for Expedited Process and Resetting Hearing* issued on September 30, 2011, the Interim Director submits the attached Late Claim Director's Report for filing with the Court.


Carter Fritschle
Manager, Adjudication Section

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

RIGHT NUMBER: 63-33516

NAME AND ADDRESS: VALE ISLAND FARMS
35 HORIZON DR
BOISE ID 83702

SOURCE: BOISE RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 1.660 CFS

Whenever it becomes necessary for the watermaster to deliver this right the following condition shall apply. This right shall receive 100 percent of its decreed quantity until the natural flow of the waters of the Boise River shall decrease so that all rights containing this condition cannot receive 100 percent of their decreed quantities, at which time this right and the other rights containing this condition shall first be cut to 75 percent of their decreed quantities, as the natural flow of the river decreases, beginning with the latest rights containing this condition and proceeding to the earliest rights containing this condition in the order of their priority dates, and after all of the rights containing this condition shall have been reduced to 75 percent of their decreed quantities, should the natural flow of the waters of the river decrease below the amount necessary to supply 75 percent of those decreed quantities, then this right and the other rights containing this condition, beginning with the latest and proceeding to the earliest, shall be reduced to 60 percent of their decreed quantities.

PRIORITY DATE: 04/01/1910

POINT OF
DIVERSION:

T04N R03W S7 SESW Lot 2 Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	1.660 CFS
STOCKWATER	03/01 11/15	0.050 CFS
RECREATION	03/01 11/15	1.660 CFS
RECREATION STORAGE	03/01 11/15	12.00 AFY

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only when the natural flow in the Boise River below the Star Bridge in Township 04 North, Range 01 West, Section 18, NE¼ of the SE¼ of the SE¼, Boise Meridian (approximate river mile 33.9) is sufficient for water to be available for diversion at the point of diversion described above, provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Lake Lowell, Arrowrock Reservoir, and/or Anderson Ranch Reservoir, as decreed in SRBA Case No. 39576.

PLACE OF USE: IRRIGATION in CANYON County

T04N R04W S12 Lot 3 NENE	1.00	T04N R04W S12	NWNE	1.00
T04N R04W S12 Lot 8 SWNE	22.00	T04N R04W S12 Lot 2 SENE		20.00
T04N R04W S12 Lot 1 NESE	7.00	T04N R04W S12 Lot 9 NWSE		3.00

STOCKWATER in CANYON County

T04N R04W S12 Lot 3 NENE	T04N R04W S12	NWNE
T04N R04W S12 Lot 8 SWNE	T04N R04W S12 Lot 2	SENE
T04N R04W S12 Lot 7 SENW	T04N R04W S12 Lot 1	NESE
T04N R04W S12 Lot 9 NWSE		

RECREATION in CANYON County

T04N R04W S12 Lot 3 NENE	T04N R04W S12	NWNE
T04N R04W S12 Lot 8 SWNE	T04N R04W S12 Lot 2	SENE
T04N R04W S12 Lot 7 SENW	T04N R04W S12 Lot 1	NESE
T04N R04W S12 Lot 9 NWSE		

RECREATION STORAGE in CANYON County

T04N R04W S12 Lot 8 SWNE	T04N R04W S12 Lot 2	SENE
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54 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

Stockwater use is for 30 head horses and 100 head cattle.

Water is delivered via the McManus-Teater ditch.

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

CERTIFICATE OF SERVICE

I certify that on October 7, 2011, 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:
U.S. DEPARTMENT OF JUSTICE
ENVIRONMENT & NATURAL RESOURCES
550 WEST FORT STREET, MSC O33
BOISE, ID 83724

STATE OF IDAHO
Represented by:
NATURAL RESOURCES DIVISION CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
P.O. BOX 44449
BOISE, ID 83711-4449

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

VALE ISLAND FARMS
Represented by:
MICHAEL P. LAWRENCE
P.O. BOX 2720
BOISE, ID 83701

CANYON COUNTY COURTHOUSE
115 ALBANY STREET
CALDWELL ID 83605



Signature of person delivering form