

AMENDED DIRECTOR'S REPORT

Subcase No. 78-4272

**(Now Recommended as Water Right Nos. 78-4272A, 78-4272B,
78-4272C, 78-4272D, 78-4272E, 78-4272F, 78-4272G & 78-4272H)**

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, Director
Carter Fritschle, Manager, Adjudication Section

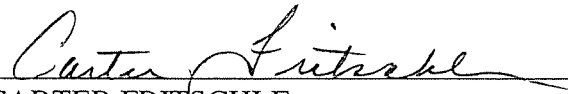
November 28, 2012

DESCRIPTIVE SUMMARY

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

DISCUSSION

Pursuant to the Honorable Eric Wildman's *Order Setting Aside Final Order Disallowing Water Right Claim; Request for Administrative Director's Report; Order Setting Deadlines* dated August 6, 2012, the Director submits this Amended Director's Report for subcase 78-4272. In examining the evidence submitted by the claimant, the Department determined this claim actually describes eight distinct water distribution systems from eight different sources which are all used to irrigate the claimed place of use. The original claim, 78-4272, will continue to be disallowed, but the water use claimed under 78-4272 is now being recommended as water right nos. 78-4272A, 78-4272B, 78-4272C, 78-4272D, 78-4272E, 78-4272F, 78-4272G and 78-4272H.


CARTER FRITSCHLE
Manager, Adjudication Section

11/26/2012

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>
78-4272	CIRCLE C RANCHES HOMEOWNERS ASSN INC PO BOX 737 NEW MEADOWS ID 83654	Disallowed	Recommended as Right Nos. 78-4272A, 78-4272B, 78-4272C, 78-4272D, 78-4272E, 78-4272F, 78-4272G and 78-4272H.

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

RIGHT NUMBER: 78-4272A

NAME AND ADDRESS: CIRCLE C RANCHES HOMEOWNERS ASSN INC
PO BOX 737
NEW MEADOWS ID 83654

SOURCE: TRAIL CREEK

TRIBUTARY: ROUND VALLEY CREEK

QUANTITY: 2.530 CFS

PRIORITY DATE: 04/15/1955

POINT OF
DIVERSION:

T21N R01E S28 NWSE Within ADAMS County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	2.530 CFS
PLACE OF USE:	<u>IRRIGATION in ADAMS County</u>		
	T21N R01E S27 SWSW	27.00	T21N R01E S27 SESW 4.40
	T21N R01E S28 NESE	0.30	T21N R01E S28 SESE 13.00
	T21N R01E S34 NENE	10.00	T21N R01E S34 NWNE 22.00
	T21N R01E S34 NENW	28.00	T21N R01E S34 NWNW 4.90
	T21N R01E S35 NWNW	16.00	T21N R01E S35 SWNW 1.10

126.7 ACRES TOTAL

Right Nos. 78-2011, 78-4272A, 78-4272B, 78-4272C, 78-4272D, 78-4272E, 78-4272F, 78-4272G, 78-4272H, 78-7031 and 78-7083 are limited to the irrigation of a combined total of 850 acres in a single irrigation season.

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 - Beneficial Use

This right is a split from former right 78-4272.

11/26/2012

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

RIGHT NUMBER: 78-4272B

NAME AND ADDRESS: CIRCLE C RANCHES HOMEOWNERS ASSN INC
PO BOX 737
NEW MEADOWS ID 83654

SOURCE: ROUND VALLEY CREEK TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 5.600 CFS

PRIORITY DATE: 04/15/1955

POINT OF DIVERSION:
T21N R01E S28 SESW Within ADAMS County
T21N R01E S28 SESE Within ADAMS County

PURPOSE AND PERIOD OF USE:

	PURPOSE OF USE	PERIOD OF USE	QUANTITY
PLACE OF USE:	IRRIGATION	04/01 10/31	5.600 CFS
	IRRIGATION in ADAMS County		
	T21N R01E S27 SWSW 1.50	T21N R01E S28 NESE 2.80	
	T21N R01E S28 NWSE 4.90	T21N R01E S28 SWSE 27.00	
	T21N R01E S28 SESE 17.00	T21N R01E S33 NENE 39.00	
	T21N R01E S33 NWNE 34.00	T21N R01E S33 SWNE 28.00	
	T21N R01E S33 SENE 30.00	T21N R01E S33 NWSE 0.10	
	T21N R01E S34 NENE 7.20	T21N R01E S34 NWNE 2.60	
	T21N R01E S34 SWNE 24.00	T21N R01E S34 SENE 16.00	
	T21N R01E S34 NENW 8.40	T21N R01E S34 NWNW 26.00	
	T21N R01E S34 SWNW 33.00	T21N R01E S34 SENW 36.00	
	T21N R01E S34 NESW 1.60		

339.1 ACRES TOTAL

Right Nos. 78-2011, 78-4272A, 78-4272B, 78-4272C, 78-4272D, 78-4272E, 78-4272F, 78-4272G, 78-4272H, 78-7031 and 78-7083 are limited to the irrigation of a combined total of 850 acres in a single irrigation season.

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 - Beneficial Use

This right is a split from former right 78-4272.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE 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 - Beneficial Use

Source is also known as Franks Creek and Franks Spring.

This right is a split from former right 78-4272.

Right Nos. 78-2011, 78-4272A, 78-4272B, 78-4272C, 78-4272D, 78-4272E, 78-4272F, 78-4272G, 78-4272H, 78-7031 and 78-7083 are limited to the irrigation of a combined total of 850 acres in a single irrigation season.

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.

This right is a split from former right 78-4272.

11/26/2012

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

RIGHT NUMBER: 78-4272E

NAME AND ADDRESS: CIRCLE C RANCHES HOMEOWNERS ASSN INC
PO BOX 737
NEW MEADOWS ID 83654

SOURCE: SPRING
TRIBUTARY: ROUND VALLEY CREEK

QUANTITY: 0.060 CFS

PRIORITY DATE: 04/15/1955

POINT OF DIVERSION:
T21N R01E S34 NWNESW Within ADAMS County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.060 CFS
PLACE OF USE: <u>IRRIGATION in ADAMS County</u>		
T21N R01E S34 SWNW 0.20	T21N R01E S34 NWSW	1.60
1.8 ACRES TOTAL		

Right Nos. 78-2011, 78-4272A, 78-4272B, 78-4272C, 78-4272D, 78-4272E, 78-4272F, 78-4272G, 78-4272H, 78-7031 and 78-7083 are limited to the irrigation of a combined total of 850 acres in a single irrigation season.

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 - Beneficial Use

This right is a split from former right 78-4272.

Source is also known as Valley Springs.

11/26/2012

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

RIGHT NUMBER: 78-4272F
NAME AND ADDRESS: CIRCLE C RANCHES HOMEOWNERS ASSN INC
PO BOX 737
NEW MEADOWS ID 83654
SOURCE: UNNAMED STREAM
TRIBUTARY: ROUND VALLEY CREEK
QUANTITY: 0.850 CFS
PRIORITY DATE: 04/15/1955

POINT OF
DIVERSION:
T20N R01E S3 NENW Lot 3 Within ADAMS County
PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	0.850 CFS
PLACE OF USE:	<u>IRRIGATION in ADAMS County</u>		
	T21N R01E S34 SWNE 10.00	T21N R01E S34 SENE	2.60
	T21N R01E S34 SENW 0.20	T21N R01E S34 NESW	1.00
	T21N R01E S34 NESE 1.70	T21N R01E S34 NWSE	27.00

42.5 ACRES TOTAL

Right Nos. 78-2011, 78-4272A, 78-4272B, 78-4272C, 78-4272D, 78-4272E, 78-4272F, 78-4272G, 78-4272H, 78-7031 and 78-7083 are limited to the irrigation of a combined total of 850 acres in a single irrigation season.

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 - Beneficial Use

This right is a split from former right 78-4272.

Source is also known as Haas Bottom Creek.

11/26/2012

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

RIGHT NUMBER: 78-4272G
NAME AND ADDRESS: CIRCLE C RANCHES HOMEOWNERS ASSN INC
PO BOX 737
NEW MEADOWS ID 83654
SOURCE: UNNAMED STREAM TRIBUTARY: ROUND VALLEY CREEK
QUANTITY: 1.200 CFS
PRIORITY DATE: 04/15/1955

POINT OF DIVERSION: T21N R01E S27 NWSE Within ADAMS County
PURPOSE AND PERIOD OF USE:

	PURPOSE OF USE	PERIOD OF USE	QUANTITY
PLACE OF USE:	IRRIGATION	04/01 10/31	1.200 CFS
	<u>IRRIGATION in ADAMS County</u>		
	T21N R01E S27 NESW 0.20	T21N R01E S27 NWSW	6.50
	T21N R01E S27 SWSW 7.80	T21N R01E S27 SESW	29.00
	T21N R01E S27 SWSE 9.60	T21N R01E S34 NWNE	6.00
	T21N R01E S34 NENW 1.00		

60.1 ACRES TOTAL

Right Nos. 78-2011, 78-4272A, 78-4272B, 78-4272C, 78-4272D, 78-4272E, 78-4272F, 78-4272G, 78-4272H, 78-7031 and 78-7083 are limited to the irrigation of a combined total of 850 acres in a single irrigation season.

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 - Beneficial Use

This right is a split from former right 78-4272.

Source is also known as Laib Creek.

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

Page 9

CERTIFICATE OF SERVICE

I certify that on November 28, 2012, 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:

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Snake River Basin Adjudication
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Twin Falls, Idaho 83303-2707

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BOISE, ID 83724

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CHIEF, DIVISION OF NATURAL RES
OFFICE OF THE ATTORNEY GENERAL
PO BOX 44449
BOISE, ID 83711-4449

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ADAMS COUNTY COURTHOUSE .
PO BOX 48
COUNCIL, ID 83612

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CIRCLE C RANCHES HOMEOWNERS
ASSN INC
ATTN: LYNN DAVIS, PRESIDENT
PO BOX 143
NEW MEADOWS, ID 83654

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

CIRCLE C RANCHES HOMEOWNERS
Represented by:
JOHN CURTIS HUCKS
PO BOX 737
NEW MEADOWS, ID 83654

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☐ Hand-Delivered
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Signature of person delivering form