

AMENDED DIRECTOR'S REPORT

Subcase No. 72-16780 (Now Recommended as Rights 72-16780A and 72-16780B)

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

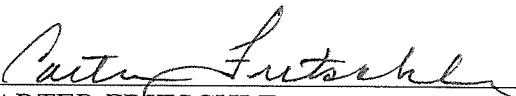
October 31, 2013

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 Booth's Order Granting Motion to File Amended Claim and Setting Subcase Deadlines, dated September 10, 2013, the Director submits the attached Amended Director's Report for water right 72-16780. The Director has split the use formerly described solely under water right 72-16780, into rights 72-16780A and 72-16780B to distinguish privately held land from BLM land. The Director recommends parent right 72-16780 for disallowal.


CARTER FRITSCHLE
Manager, Adjudication Section

CERTIFICATE OF SERVICE

I certify that on October 31, 2013, 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

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2. Copies to:

UNITED STATES OF AMERICA
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

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

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CUSTER COUNTY COURTHOUSE
PO BOX 385
CHALLIS, ID 83226

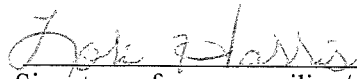
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Signature of person mailing/delivering form

10/31/2013

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

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
72-16780	EDDIE BAKER JR HC 68 BOX 375 CLAYTON ID 83227	Disallowed	Recommended as Right Nos. 72-16780A and 72-16780B.

10/31/2013

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

RIGHT NUMBER: 72-16780A

NAME AND ADDRESS: EDDIE BAKER JR
HC 68 BOX 375
CLAYTON ID 83227

SOURCE: BIG BOULDER CREEK TRIBUTARY: EAST FORK SALMON RIVER

QUANTITY: 12.680 CFS

Right nos. 72-10302A, 72-10304, 72-16778, 72-16780A and 72-16780B are limited to a maximum combined diversion rate of 7.80 cfs at the Big Boulder Creek-1 Diversion in T09N, R17E, S15, NWNENE, Lot 1.

Right nos. 72-204, 72-10304, 72-16780A and 72-16780B are limited to a maximum combined diversion rate of 8.00 cfs at the Big Boulder Creek-2 Diversion in T09N, R17E, S15, SENWNE, Lot 2.

Right Nos. 72-16780A and 72-16780B are limited to a total combined diversion rate of 12.68 cfs.

PRIORITY DATE: 04/01/1938

POINT OF DIVERSION:

T09N R17E S15 NWNENE Lot 1 Within CUSTER County
T09N R17E S15 SENWNE Lot 2 Within CUSTER County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	12.680 CFS

PLACE OF USE: IRRIGATION in CUSTER County

T09N R17E S11	NWNE	17.00	T09N R17E S11	SWNE	6.10
T09N R17E S11	NENW	7.60	T09N R17E S11	SENE	10.00
T09N R17E S15 Lot 1	NENE	15.00	T09N R17E S15 Lot 5	SENE	1.40

57.1 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 398.1 acres in a single irrigation season. Combined Right Nos.: 72-204, 72-2048, 72-10302A, 72-10302B, 72-10302C, 72-10303, 72-10304, 72-16778, 72-16779 and 72-16780A and 72-16780B.

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

Other water rights used at the same place and for the same purposes as described above: The following rights are for irrigation from these diversions: 72-10302A, (BBC-1), 72-10304 (BBC-1 and BBC-2), 72-204 (BBC-2).

This right is renumbered from former claim 72-16780.

10/31/2013

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

RIGHT NUMBER: 72-16780B

NAME AND ADDRESS: EDDIE BAKER JR
HC 68 BOX 375
CLAYTON ID 83227

SOURCE: BIG BOULDER CREEK TRIBUTARY: EAST FORK SALMON RIVER

QUANTITY: 2.070 CFS

Right Nos. 72-16780A and 72-16780B are limited to a total combined diversion rate of 12.68 cfs.

Right nos. 72-10302A, 72-10304, 72-16778, 72-16780A and 72-16780B are limited to a maximum combined diversion rate of 7.80 cfs at the Big Boulder Creek-1 Diversion in T09N, R17E, S15, NWNENE, Lot 1.

Right nos. 72-204, 72-10304, 72-16780A and 72-16780B are limited to a maximum combined diversion rate of 8.00 cfs at the Big Boulder Creek-2 Diversion in T09N, R17E, S15, SENWNE, Lot 2.

PRIORITY DATE: 04/01/1938

POINT OF
DIVERSION:

T09N R17E S15 NWNENE Lot 1 Within CUSTER County
T09N R17E S15 SENWNE Lot 2 Within CUSTER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	2.070 CFS

PLACE OF USE: IRRIGATION in CUSTER County

T09N R17E S10 Lot 6 NESE	4.30	T09N R17E S10 Lot 6 SESE	3.70
T09N R17E S14 Lot 4 NWNW	3.60		

11.6 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 398.1 acres in a single irrigation season. Combined Right Nos.: 72-204, 72-2048, 72-10302A, 72-10302B, 72-10302C, 72-10303, 72-10304, 72-16778, 72-16779, 72-16780A and 72-16780B.

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

Other water rights used at the same place and for the same purposes as described above: 72-16778 .

This right is renumbered from former claim 72-16780.