

AMENDED DIRECTOR'S REPORT

Water Right Nos. 73-12121, 73-12122 & 73-12248

In Re CSRBA

Twin Falls County Civil Case No. 49576

Report to the CSRBA District Court

Prepared by the Idaho Department of Water Resources
Gary Spackman, Director
Carter Fritschle, Manager, Adjudication Section

July 16, 2014

DESCRIPTIVE SUMMARY

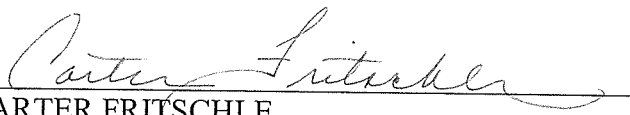
This is an Amended Director's Report submitted by the Director of the Idaho Department of Water Resources ("Department").

DISCUSSION

Errors associated with a historical right split, which errors were incorporated into a *Notice of Completed Administrative Proceeding* filed in this court on June 5, 2007, for these rights, were discovered when the ownership of water right nos. 73-12121 and 73-12122 was requested to be updated again in 2012.

The detailed background of the issues can be found in the court's records in this matter as a *Memorandum* dated August 6, 2012, prepared by Garrick Baxter, Deputy Attorney General which is attached as Exhibit 1 to the *Affidavit of Robert Harris* dated March 20, 2012.

Respectfully submitted this 16th day of July, 2014.


CARTER FRITSCHLE
Manager, Adjudication Section

06/26/2014

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

RIGHT NUMBER: 73-12121

NAME AND ADDRESS: JACK B FUREY
PO BOX 280
CHALLIS ID 83226

SOURCE: SPRING GULCH CREEK

TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 0.220 CFS
50.100 AFY

PRIORITY DATE: 03/06/1968

POINT OF DIVERSION:

T16N R20E S36 NENW Within CUSTER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	0.220 CFS 50.10 AFY
The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 15 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.		

PLACE OF USE: IRRIGATION in CUSTER County

T16N R20E S25	NESW	7.80	T16N R20E S25	SESW	8.00
T16N R20E S36	NENW	0.90			

16.7 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 - License

A measuring device of a type approved by IDWR shall be maintained as a part of the diverting works.

This right is a split from former right 73-7003.

06/26/2014

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

RIGHT NUMBER: 73-12122

NAME AND ADDRESS: DOUG J PARKINSON
PO BOX 65
ELLIS ID 83235

JANIEL S PARKINSON
PO BOX 65
ELLIS ID 83235

SOURCE: SPRING GULCH CREEK

TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 0.020 CFS
3.900 AFY

PRIORITY DATE: 03/06/1968

POINT OF DIVERSION:

T16N R20E S36 NENW Within CUSTER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/15

0.020 CFS

3.90 AFY

The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 15 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in CUSTER County

T16N R20E S36 NENW 1.30

1.3 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 - License

A measuring device of a type approved by IDWR shall be maintained as a part of the diverting works.

This right is a split from former right 73-7003.

06/26/2014

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

RIGHT NUMBER: 73-12248

NAME AND ADDRESS: CHRIS DRAKOS
PO BOX 793
BLACKFOOT ID 83221

SOURCE: SPRING GULCH CREEK

TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 1.210 CFS
279.000 AFY

PRIORITY DATE: 03/06/1968

POINT OF DIVERSION:

T16N R20E S36 NENW Within CUSTER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/15

1.210 CFS

279.00 AFY

The use of water for irrigation under this right may begin as early as April 1 and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before April 15 and after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE:

IRRIGATION in CUSTER County

T16N R20E S25	NESW	12.00	T16N R20E S25	NWSW	40.00
T16N R20E S25	SWSW	28.00	T16N R20E S25	SESW	13.00

93 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 - License

This right is a split from former right 73-7003.

A measuring device of a type approved by IDWR shall be maintained as a part of the diverting works.

CERTIFICATE OF SERVICE

I certify that on July 16, 2014, 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
Coeur d'Alene-Spokane 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:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

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

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

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

CUSTER COUNTY COURTHOUSE
PO BOX 385
CHALLIS, ID 83226

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

IDWR DOCUMENT REPOSITORY
PO BOX 83720
BOISE, ID 83720-0098

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

CHRIS DRAKOS ENTERPRISES INC
Represented by:
ROBERT L HARRIS
1000 RIVERWALK DR, STE 200
PO BOX 50130
IDAHO FALLS, ID 83405-0130

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

JUDD A WHITWORTH
BOX 26
ELLIS, ID 83253

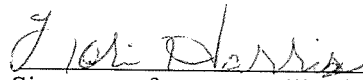
☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

DARRAN CARRAWAY
HILLARY CARRAWAY
3606 E COLUMBIA RD
MERIDIAN, ID 83642

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

DOUG J PARKINSON
JANIEL S PARKINSON
PO BOX 65
ELLIS, ID 83235

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



Signature of person mailing/delivering form