

AMENDED DIRECTOR'S REPORT

Subcase No. 94-7114

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

January 31, 2017

DESCRIPTIVE SUMMARY

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

DISCUSSION

While reviewing water right no. 94-7114, an error was found in the shoulder remark under the Period of Use Element. Accordingly, an Amended Director's Report is being submitted for the aforementioned subcase (see attached recommendation). The standard period of use for irrigation is April 1st to October 15th so stating that this water right may begin as early as April 1st is duplicative.

No objections were filed to the original recommendation for this right.

Respectfully submitted this 31st day of January, 2017.



CARTER FRITSCHLE
Manager, Adjudication Section

01/26/2017

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

RIGHT NUMBER: 94-7114

NAME AND ADDRESS: CITY OF KELLOGG
1007 MC KINLEY AVE
KELLOGG ID 83837

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.080 CFS
28.00 AFY

PRIORITY DATE: 03/15/1978

POINT OF
DIVERSION: T49N R03E S31 SWSW Lot 4 Within SHOSHONE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/15	0.080 CFS 28.00 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 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 SHOSHONE County

T48N R03E S06 Lot 2 NWNE	0.10	T48N R03E S06	SWNE	0.10
T48N R03E S06 Lot 3 NENW	3.60	T49N R02E S36	NESE	0.50
T49N R02E S36 SESE	0.10	T49N R03E S31 Lot 3 NWSW		0.40
T49N R03E S31 Lot 4 SWSW	3.90	T49N R03E S31 Lot 5 SESW		0.60

9.3 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The remainder of this right was forfeited for non-use from 1992 to 2008.

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

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

CERTIFICATE OF SERVICE

I certify that on January 31, 2017, I served the original and/or copies of this Amended Director's Report – Water Right No. 94-8106, including all attachments, to the following persons by delivering the original and/or copies, as follows:

1. Original to:

Clerk of the District Court	☐ Overnight Mail
Coeur d'Alene-Spokane River Basin Adjudication	☒ Regular Mail
253 Third Avenue North	☐ Hand-Delivered
P.O. Box 2707	☒ Facsimile
Twin Falls, Idaho 83303-2707	

2. Copies to:

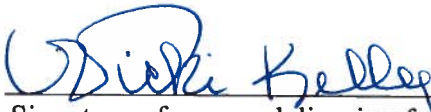
Director of IDWR	☐ Overnight Mail
PO Box 83720	☐ Regular Mail
Boise, ID 83720-0098	☒ Hand-Delivered
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City of Kellogg	☐ Overnight Mail
1007 McKinley Ave.	☒ Regular Mail
Kellogg, ID 83837	☐ Hand-Delivered
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Shoshone County Courthouse	☐ Overnight Mail
700 Bank Street	☒ Regular Mail
Wallace, ID 83873-0527	☐ Hand-Delivered
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Chief, Natural Resources Div	☐ Overnight Mail
Office of the Attorney General	☒ Regular Mail
State of Idaho	☐ Hand-Delivered
PO Box 83720	☐ Facsimile
Boise, ID 83720-0010	

United States of America	☐ Overnight Mail
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Environment & Natl' Resources	☐ Facsimile
550 West Fort Street, MSC 033	
Boise, ID 83724	



Signature of person delivering form