

AMENDED DIRECTOR'S REPORT

Subcase No. 95-13377

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

August 30, 2019

DESCRIPTIVE SUMMARY

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

DISCUSSION

On August 2, 2018, IDWR filed a Director's Report for Edward and Tatyana Fomenko's Water Right No. 95-13377, for domestic purposes. No objections or responses have been filed, and the response deadlines have passed.

IDWR has identified an inadvertent error in the Director's Report in the Quantity component under the Purpose and Period of Use element for Water Right No. 95-13377. The original Director's Report erroneously listed a volume limitation of 0.60 acre feet per year in the Quantity element under Purpose and Period of Use. The appropriate volume limit for this water right should be **1.20 afy** as authorized in the original license.

The Director submits for filing with the Court an Amended Director's Report for the aforementioned subcase (see attached recommendation).



CARTER FRITSCHLE
Manager, Adjudication Section

CERTIFICATE OF SERVICE

I certify that on September 3, 2019, I served the original and/or copies of this Amended Director's Report – Water Right No. 95-13377, 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:

Director of IDWR
PO Box 83720
Boise, ID 83720-0098

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

Kootenai County Courthouse
PO Box 9000
Coeur d'Alene, ID 83816-9000

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

Chief, Natural Resources Div
Office of the Attorney General
State of Idaho
PO Box 83720
Boise, ID 83720-0010

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

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

Edward Fomenko
Tatyana Fomenko
951 S Stateline Rd
Post Falls, ID 83854-6740

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



Signature of person delivering form

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

RIGHT NUMBER: 95-13377

NAME AND ADDRESS: EDWARD FOMENKO
951 S STATELINE RD
POST FALLS ID 83854-6740

TATYANA FOMENKO
951 S STATELINE RD
POST FALLS ID 83854-6740

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS
1.20 AFY

The quantity of water under this right shall not exceed 13,000 gallons per day.

Right numbers 95-11284, 95-13377, 95-14757 and 95-14792 are limited to a total combined diversion rate of 0.12 cfs.

PRIORITY DATE: 12/01/1981

POINT OF DIVERSION: T50N R06W S13 NESW Within KOOTENAI County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC	01/01 12/31	0.040 CFS
	Domestic use is for 1 home.		<u>1.20</u> ~~0.60~~ AFY

PLACE OF USE:

DOMESTIC in KOOTENAI County
T50N R06W S13 NESW

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

Parcel No. 0K4190010020

Property is also known as Lot 2, Block 1, Holland 2nd Addition.