

AMENDED DIRECTOR'S REPORT

Subcase No. 29-4109

In Re SRBA

Twin Falls County Civil Case No. 39576

Report to the SRBA District Court

Prepared by the Idaho Department of Water Resources

Karl J. Dreher, Director

David R. Tuthill, Jr., Adjudication Bureau Chief

March 15, 2004

DESCRIPTIVE SUMMARY

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

DISCUSSION

Pursuant to Special Master Bilyeu's *Order Granting Motion to File Amended Notice of Claim and Setting Subcase Deadlines* issued March 3, 2004, the Director submits for filing with the Court, an Amended Director's Report for the aforementioned subcase.

Respectfully submitted this 15th day of March, 2004.


DAVID R. TUTHILL, JR.
Adjudication Bureau Chief

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

RIGHT NUMBER: 29-4109

NAME AND ADDRESS:

JOHN WILLIAM HART
2435 E HAWKINS
DOWNEY ID 83234

MARILYN MIKKELSON
2433 E HAWKINS
DOWNEY ID 83234

SOURCE:

Source:
PECK CREEK

Tributary:
MARSH CREEK

QUANTITY:

0.920 CFS ~~0.700 CFS~~

0.000 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 1.42 CFS. COMBINED RIGHT NOS.: 29-04109, 29-04111
~~USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 1.2 CFS. COMBINED RIGHT NOS.: 29-04109,
29-04111~~

PRIORITY DATE: 06/30/1970

POINT OF DIVERSION:

T11S R37E S6 NWNWNE Lot 2

Within BANNOCK County

~~T11S R37E S6 NENW Lot 3~~

~~Within BANNOCK County~~

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

04/01 10/31

0.920 CFS

~~0.700 CFS~~

PLACE OF USE:

IRRIGATION

within BANNOCK County

T10S R37E S31 SWSW Lot 7 6.9

T10S R37E S31 SWSW Lot 8 21.0

T11S R37E S06 NENW Lot 3 18.0

~~T10S R37E S31 SWSW Lot 8 17.0~~

45.9 ACRES TOTAL

~~35 ACRES TOTAL~~

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 45.9 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED
RIGHT NOS.: 29-04109, 29-04111

~~USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 35 ACRES IN A SINGLE IRRIGATION
SEASON. COMBINED RIGHT NOS.: 29-04109, 29-04111~~

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.

~~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

CERTIFICATE OF MAILING

I certify that on March 16, 2004, I mailed and/or delivered the original and copies of this form, including all attachments, to the following interested parties, by placing them in sealed envelopes, addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

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

2. Copies to:

Chief, Natural Resource Division
Office of the Attorney General
Box 83720
Boise, ID 83720-0010

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

United States Department of Justice
Environment & Natural Resources Div.
550 West Fort Street MSC 033
Boise, ID 83724

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

John William Hart
2435 E. Hawkins
Downey, ID 83234

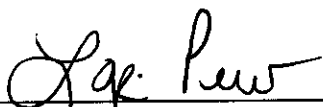
☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Marilyn Mikkelsen
2433 E. Hawkins
Downey, ID 83234

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

Bannock County Clerk
624 E. Center, Room 211
Pocatello, ID 83201-6274

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



Signature of person delivering form