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Department of Water Resources

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

2004 APR 9 AM 10 04

AMENDED DIRECTOR'S REPORT

Subcase No. 29-2261

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

April 5, 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 Late Objection 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 5th day of April, 2004.


DAVID R. TUTHILL, JR.
Adjudication Bureau Chief

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

RIGHT NUMBER: 29-2261

NAME AND ADDRESS:

PATRICIA AVERY
8888 SUNNYSIDE RD
LAVA HOT SPRINGS ID 83246

WAYNE AVERY
8888 SUNNYSIDE RD
LAVA HOT SPRINGS ID 83246

SOURCE:

Source:
SPRINGS
UNNAMED STREAM

Tributary:

SINKS
SINKS

QUANTITY: 0.070 CFS ~~0.080 CFS~~ 0.000 AFY

USE OF THIS RIGHT WITH RIGHT NO. 29-7402 FOR DOMESTIC PURPOSES IS
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.03 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 1.2 AF.

PRIORITY DATE: 07/10/1945

POINT OF DIVERSION:

T09S R38E S8 SWNWSW
~~T09S R38E S8 NWSWSW~~
~~T09S R38E S17 SWNWSW~~
T09S R38E S18 NENENE

Within BANNOCK County
~~Within BANNOCK County~~
~~Within BANNOCK County~~
Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
IRRIGATION	04/01 10/31	0.040 CFS
DOMESTIC	01/01 12/31	<u>0.030 CFS</u> ~~0.040 CFS~~

Domestic use is for 2 homes.

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

PLACE OF USE: IRRIGATION within BANNOCK County
 T09S R38E S17 NESW 2.0

 DOMESTIC within BANNOCK County
 T09S R38E S17 NESW

 2 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

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.
RIGHT NO. 29-07402 IS ALSO DIVERTED THROUGH POINTS OF DIVERSION
DESCRIBED ABOVE.
~~USE - 2 HOMES~~

CERTIFICATE OF MAILING

I certify that on April 7, 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

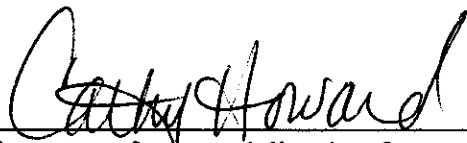
☐ Overnight Mail
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Wayne & Patricia Avery
8888 Sunnyside Rd.
Lava Hot Springs, ID 83246

☐ 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

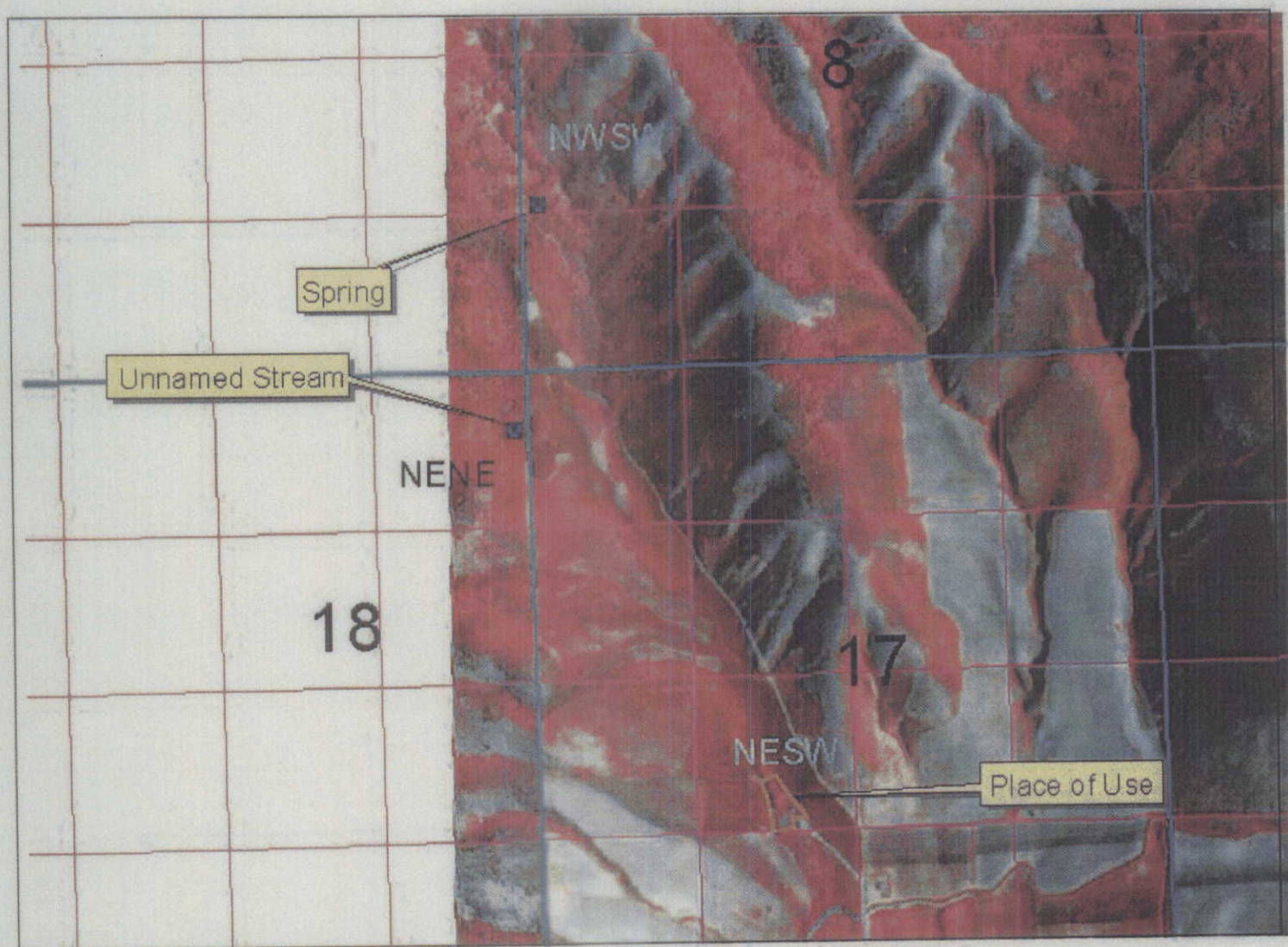


State of Idaho

Department of Water Resources

Claim No.: 29-2261
29-7402

T09S R38E



0 1320 2640 3960 5280 Feet

- Diversion.shp
- Place of use.shp
- Sections
- QQ



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: E Carlsen
Date: April 2004