

AMENDED DIRECTOR'S REPORT

Subcase No. 29-322

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

June 25, 2004

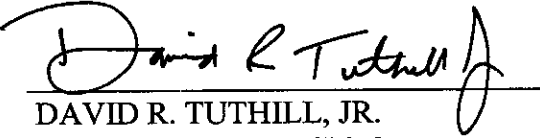
DESCRIPTIVE SUMMARY

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

DISCUSSION

Pursuant to the *Motion to File Amended Notice of Claim* filed on May 13, 2004 and the *Oral Order Granting Motion to File Amended Notice of Claim* issued by Special Master Bilyeu on or about May 26, 2004, the Director submits for filing with the Court, an Amended Director's Report for the aforementioned subcase (see attached print-out).

Respectfully submitted this 25th day of June, 2004.

A handwritten signature in black ink, reading "David R. Tuthill, Jr.", written over a horizontal line.

DAVID R. TUTHILL, JR.
Adjudication Bureau Chief

CERTIFICATE OF SERVICE

I certify that on 6/25, 2004, 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
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

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

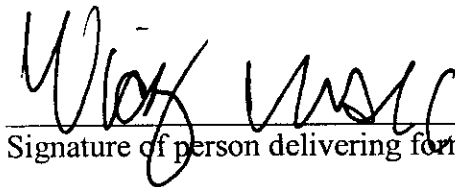
2. Copies to:

U.S. Dept. of Justice
Environment & Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resource Division
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

Randall C. Budge
PO Box 1391
Pocatello, ID 83204-1391

Bannock County Courthouse
624 E. Center St
Pocatello, ID 83205



Signature of person delivering form

06/10/2004

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

RIGHT NUMBER: 29-322
NAME AND ADDRESS: DAVID MARK TREASURE
2615 N 800 E
LOGAN UT 84321

DEBBIE TREASURE
218 S 100 W
LOGAN UT 84321

BONNIE JENKINS
368 S MAIN
MALAD ID 83252

ELIZABETH VAUGHAN
100 E 12TH ST
MC CAMMON ID 83250

SOURCE: BIRCH CREEK TRIBUTARY: MARSH CREEK
QUANTITY: 4.780 CFS

The amount of water diverted under this water right may not exceed 4/24 of the stream flow of Birch Creek at the point of diversion described below at any given time. This water right shall not provide more than .02 cubic feet per second per acre at any time.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.78 CFS. COMBINED RIGHT NOS.: 29-320, 29-321, 29-322.

PRIORITY DATE: 10/10/1878
POINT OF DIVERSION:

T11S R36E S36 NENWNW Rediversion Within BANNOCK County
T12S R36E S23 SESENE Rediversion Within BANNOCK County
T12S R36E S27 SWNWSW Injection Within BANNOCK County
T12S R36E S27 SWNWSW Within BANNOCK County
T12S R36E S27 SENWSW Injection Within BANNOCK County
T12S R36E S27 SENWSW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	4.780 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T11S R36E S25	NESW	10.0	T11S R36E S25	NWSW	17.0
T11S R36E S25	SWSW	14.0	T11S R36E S25	SESW	28.0
T11S R36E S25	SWSE	30.0	T11S R36E S25	SESE	9.9
T11S R36E S26	NESE	11.0	T11S R36E S26	NWSE	2.2
T11S R36E S26	SWSE	18.0	T11S R36E S26	SESE	34.0
T11S R36E S35	NENE	1.1	T11S R36E S36	NENE	12.0
T11S R36E S36	NWNE	8.1	T11S R37E S30 Lot 3	NWSW	8.5
T11S R37E S30 Lot 4	SWSW	35.0			

06/10/2004

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

238.8 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 238.8 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-320, 29-321, 29-322.

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: Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

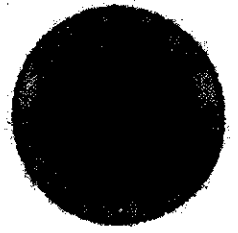
WATER IS DELIVERED THROUGH BIRCH CREEK CANAL (DITCH).



State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):

20-00320,
20-00321,
20-00322

Place of Use (parts of) T12N, R30E
Sec. 26 E2NE, N2NE, Sec. 26 SW,
Sec. 26 N2NE, Sec. 26 N2NE
T12N, R37E Sec. 26 W2NE

Point(s) of Diversion T12N, R30E
Sec. 26 N2NE (Main Canyon),
Sec. 26 N2NE (Main Canyon),
T12N, R30E Sec. 2 SW (Main Canyon),
Sec. 2 SW (Main Canyon), Sec. 27
SW (Main Canyon), Sec. 27 SW (Main Canyon)



LEGEND

- Point of Diversion
- Place of Use
- Section
- Quarter-Quarter

Approved DR
Version 2

All Plans of the Department
are subject to the Department's
Policy and Procedures
and to the State of Idaho